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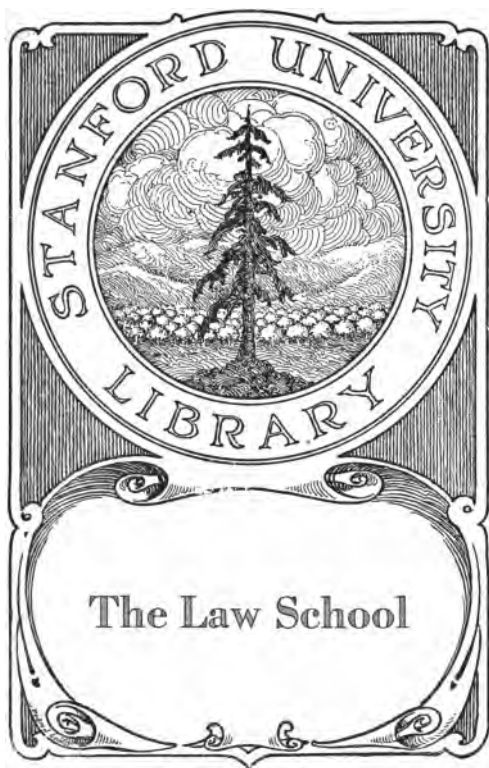
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Transcription

ACTS

OF THE

STATE OF TENNESSEE,

PASSED BY THE

FORTY-THIRD GENERAL ASSEMBLY,

1883.

1883. 1883.

PUBLISHED BY AUTHORITY.

NASHVILLE:

ALBERT B. TAVEL, PRINTER TO THE STATE.

1883.

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ACTS OF TENNESSEE---1883.

PUBLIC ACTS
OF THE
GENERAL ASSEMBLY OF THE STATE OF TENNESSEE

PASSED BY THE
FORTY-THIRD GENERAL ASSEMBLY

Which was begun and held at Nashville, on the First Monday in January, in the year of our LORD One Thousand Eight Hundred and Eighty-three.

CHAPTER I.

AN ACT to amend an Act entitled "An Act to establish an Insurance Bureau," passed March 21, 1873, and approved March 24, 1873.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That section 15, of an Act passed March 21, 1873, and approved March 24, 1873, entitled "An Act to establish an Insurance Bureau," be so amended as to read as follows: That the fees of the Commissioner shall be as now established by law, with the additional fees: For seal of office, one dollar; for copies of papers in his office, twenty-five cents per folio; for cost of making valuations under section 9, three (3) cents on every one thousand of insurance effected; and all fees in excess of five hundred dollars shall be paid into the State Treasury.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed January 19, 1883.

JAS. M. HEAD,

Speaker pro tem of the House of Representatives.

E. EDMUNDSON,

Speaker pro tem of the Senate.

Approved January 23, 1883.

WM. B. BATE,

Governor.

CHAPTER II.

A BILL to be entitled an Act to repeal an Act entitled An Act to compromise and fund the bonded indebtedness of the State of Tennessee, passed May 19, 1882, and approved May 20, 1882.

60-6 funding
act repealed
SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Act entitled An Act to compromise and fund the bonded indebtedness of the State of Tennessee, passed May 19, 1882, and approved May 20, 1882, be and the same is hereby repealed.

SEC. 2. *Be it further enacted*, That this Act take effect from and after the date of its passage, the public welfare requiring it.

Passed 3d reading January 19, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved January 23, 1883.

WM. B. BATE,
Governor.

CHAPTER III.

AN ACT to abolish the corporation of the town of Clarksburg in Carroll county, and to repeal sections 7, 8 and 9 of an Act passed February 18, 1858, entitled "An Act to incorporate the town of New Providence in Montgomery county, and Normandy in Bedford county; and to incorporate the inhabitants of Fall Branch in the county of Sullivan, and to incorporate the town of Clarksburg in the county of Carroll, and to establish a new civil district in East Knoxville, and to amend an Act entitled 'An Act to reduce the several Acts incorporating the town of Nashville into one Act;' and to amend the same, passed January 31, 1848."

Corporation of
Clarksburg
abolished.
SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section 7, 8 and 9 of an Act entitled "An Act to incorporate the town of New Providence in Montgomery county, and Normandy in Bed-

ford county ; and to incorporate the inhabitants of Fall Branch in the county of Sullivan, and to incorporate the town of Clarksburg in the county of Carroll, and to establish a new civil district in East Knoxville, and to amend an Act entitled "An Act to reduce the several Acts, incorporating the town of Nashville, into one Act, and to amend the same, passed January 31, 1848, be and the same are hereby repealed, and the corporation of the said town of Clarksburg in Carroll county is hereby abolished.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved February 7, 1883.

WM. B. BATE,

Governor.

CHAPTER IV.

AN ACT to repeal section 4 of an Act entitled "An Act to defray the expenses of the Third Extraordinary Session of the General Assembly and to make appropriations for the specified purposes mentioned in the proclamation of the Governor convening the Legislature in Extraordinary Session," passed May 20, 1882, and approved May 22, 1882.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That section 4 of an Act to defray the expenses of the Third Extraordinary Session of the General Assembly, and to make appropriations for the specific purposes mentioned in the proclamation of the Governor convening the Legislature in Extraordinary Session, passed May 20, 1882, and approved May 22, 1882, appropriating money to pay the interest falling due July 1, 1882, and January 1, 1883, on bonds issued under and by virtue of an Act entitled "An Act to compromise and fund the bonded indebtedness of the State," passed May 19, 1882, and approved May 20, 1882, be and the same is hereby repealed.

Appropriations for interest on 60-6 repealed.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 8, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved February 15, 1883.

WM. B. BATE,
Governor.

CHAPTER V.

A BILL to be entitled An Act to amend sections 5, 13, 15 and 21 of an Act passed January 29, 1879, (Acts 1879, Chapter XI), entitled An Act to establish Taxing Districts in this State, and to provide the means of local government of the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That so much of the fifth section of the Act mentioned in the caption to this Act as provides that "the Commissioners may employ a Secretary to keep a full record of all their proceedings, at a salary not exceeding eight hundred dollars *per annum*," be and the same is hereby amended to read as follows: The said Commissioners may employ a Secretary to keep a full record of all their proceedings, and also keep a set of books, showing all of the financial operations of the Taxing District, at a salary of not exceeding eighteen hundred dollars *per annum*.

Secretary of
Commissioners
in Taxing Dis-
tricts.

SEC. 2. *Be it further enacted*, That so much of section 15 of the Act mentioned in the caption of this Act as reads: "The compensation of the President of the Board of Health shall not exceed \$100 per month," be and the same is hereby amended to read as follows: The Board of Fire and Police Commissioners may fix the compensation of the President of the Board of Health at a sum not exceeding two thousand dollars *per annum*.

President of
Board of
Health—salary

SEC. 3. *Be it further enacted*, That so much of section 21 of the Act mentioned in the caption as reads: "A digest of the local laws shall be prepared once in three years, by direction of the Board of Fire and Police Commissioners, and which may be read as evidence in all the Courts of the State, without further proof of the laws contained in such digest," be and the same is hereby amended to read as follows: A digest of the local laws shall be prepared once in five years, by direction of the Board of Fire and Police Commissioners, and which may be read as evidence in all the Courts of the State, without further proof of the laws contained in such digest.

Digest of laws
every 3 years.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 12, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved February 17, 1883.

WM. B. BATE,
Governor.

CHAPTER VI.

A BILL to be entitled an Act to levy and collect taxes for the Taxing District of Shelby county, Tennessee, for the next (2) two years, 1883, 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an annual tax is hereby levied on all the taxable property, real and personal, including merchants, capital and all others who are assessed for *ad valorem* taxes on capital invested, bank stock and all other stock subject to taxation within the territorial limits of the Taxing District of Shelby county, Tennessee, as follows: Thirty cents on the one hundred

Tax levy in
Taxing Distr't
of Shelby Co.

dallars to defray the expenses of the police department; thirty cents on the one hundred dollars to defray the expenses of the fire department; fifteen cents on the one hundred dollars, together with the poll tax of one dollar *per capita*, to defray the expenses of the public schools; ten cents on the one hundred dollars to defray the expenses of lighting the said District; fifty cents on the one hundred dollars for paving the streets and repairing the same, for building and repairing the bridges and market houses, for construction and repairing of sewers and drains, and for the sanitary purposes of said District; ten cents on the one hundred dollars for the hospital service of said District.

Collecting laws
still in force.

SEC. 2. *Be it further enacted*, That all laws now in force, or that may hereafter be passed for the collection of the State taxes shall be, and are hereby declared to be in force as to the collection of these taxes, and section (2) two of the Act commonly called the Sewer Act, passed December 23, 1879, at the Extraordinary Session of the Forty-First General Assembly of this State be and the same is also hereby declared to be in force as to these taxes, in all respects so far as the same is applicable.

SEC. 3. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed February 15, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. FEDGERWOOD,

Speaker of the House of Representatives.

Approved February 17, 1883.

WM. B. BATE,

Governor.

CHAPTER VII.

AN ACT to provide for the payment of the reward of ten thousand dollars for the capture of Marsh. Tate Polk, former Treasurer of the State of Tennessee.

Be it enacted by the General Assembly of the State of Tennessee, That the sum of ten thousand dollars be and the same is hereby appropriated, out of any funds in the State Treasury, to pay the reward offered by the Governor under House Joint Resolution No. — for the capture and delivery at Nashville of Marsh T. Polk, former Treasurer of Tennessee, and the Comptroller is hereby authorized and instructed to issue his warrant on the State Treasurer for the said sum of ten thousand dollars, payable to whomsoever Governor Wm. B. Bate shall in writing to him decide is entitled to receive same. But said reward shall not be paid until the money and other valuables taken from M. T. Polk, Price or Cameron are turned over to the present Treasurer of this State, who shall receipt for same, or the same is deducted from the reward.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved February 16, 1883.

WM. B. BATE,

Governor.

CHAPTER VIII.

AN ACT to change the line between the counties of Loudon and Roane.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county line between

Loudon and Roane counties be so changed as to include the lands and houses of J. L. Waller in Roane county,

Passed February 17, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved February 20, 1883.

WM. B. BATE,
Governor.

CHAPTER IX.

AN ACT to exempt from execution tobacco to the amount of three hundred pounds in the hands of the actual producers.

Be it enacted by the General Assembly of the State of Tennessee, That tobacco to amount of three hundred pounds in the hands of the actual producer, who is the head of a family, be exempt from seizure by attachment or execution; and this Act take effect on and after its passage.

Passed February 20, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved February 21, 1883.

WM. B. BATE,
Governor.

CHAPTER X.

A BILL to be entitled An Act to amend sub-sections 4, 10, 13, 14, 15, 38, 39, 45, 51, 52, 58 of Section 7 of an Act passed March 12, 1879, Chapter 84, amended by an Act passed April 4, 1881, Acts of 1881, Chapter 96, and to make sub-section 59 of said section, sub-section 98, and to add to the privileges provided for in said section the privileges as herein provided.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That sub-section 4 of said Act be amended to read as follows: Every person or firm ^{Oysters.} having a merchant's corporate license, who furnishes oysters as they may be called for, in addition to the merchant's license, \$25 per annum.

SEC. 2. *Be it further enacted*, That sub-section 10 of said Act be amended to read as follows: Every keeper ^{Firewood and coal.} of a house or yard for the sale of firewood and coal, or either, for each house or yard \$20 per annum.

SEC. 3. *Be it further enacted*, That sub-section 13 of said Act be amended to read as follows: Every hawker ^{Peddlers.} or peddler of goods, wares or merchandise of any kind, \$50 per annum; or \$15 each three months or less.

SEC. 4. *Be it further enacted*, That sub-section 14 of said Act be amended to read as follows: Every keeper ^{Fruit stands.} of a fruit stand, \$10 per annum.

SEC. 5. *Be it further enacted*, That sub-section 15 of said Act be amended to read as follows: Every fruit ^{Fruit Peddlers} peddler, other than the producer, \$10 per annum.

SEC. 6. *Be it further enacted*, That sub-section 38 of said Act be so amended to read as follows: Upon the ^{Auctioneers.} privilege of crying auction sales at any place other than one's regular place of business, \$20 per annum.

SEC. 7. *Be it further enacted*, That sub-section 39 of said Act be amended to read as follows: Upon the ^{Exhibitions for profit.} privilege of exhibiting any feats of agility, slight of hand or exhibitions of amusement for which money is taken, except scientific lectures, or the exhibition of the sciences or arts, or exhibitions for charitable purposes, \$5 for each exhibition.

SEC. 9. *Be it further enacted*, That sub-section 51 of said Act be amended to read as follows: Upon the privilege of retailing spirituous, vinous, fermented, or malt liquors, \$50 per annum, and the ^{Retailing li-} *ad valorem* tax as ^{quors.} other merchants on the capital so employed: *Provided*, that where cigars and tobacco or either, are kept and

sold to customers, \$10 *per annum* in addition shall be paid.

Manufacture of oils. SEC. 10. *Be it further enacted*, That sub-section 58 of said Act be amended to read as follows: Any person, firm or corporation engaged in the manufacture of cotton seed or other oils, \$50 *per annum* as privilege tax.

SEC. 11. *Be it further enacted*, That the following sections be added as sub-sections in said Act, and that the following be made taxable privileges as herein provided:

59. All artists, photographers and other similar employments, \$25 *per annum*.

60. Architects, \$25 *per annum*.

61. Beer agents representing foreign breweries, \$50 *per annum*.

Additional privileges. 62. Breweries, \$100 *per annum*.

63. Brokers in horses mules or cattle, \$25 *per annum*.

64. Brokers in railroad tickets, \$50 *per annum*.

65. Building and Loan Associations, \$50 *per annum*.

66. Bill posters, \$50 *per annum*.

67. Each compress \$100 *per annum*.

68. Cotton pickeries, and all persons buying loose seed or lint cotton from others than regular licensed cotton factors, \$200 *per annum*.

69. Cotton ginning establishments, \$100 *per annum*.

70. Cooper shops run by steam, \$50 *per annum*.

71. Dyeing and cleaning establishments, \$10 *per annum*.

72. Dye sinkers and stencil cutters, \$15 *per annum*.

73. Flying Jennies \$20 *per annum*; three months or less \$10.

74. Gas companies, \$250 *per annum*.

75. Gunsmiths and Locksmiths, \$10 *per annum*.

76. Ice manufactories, \$100 *per annum*.

77. Ice dealers, wholesale, \$100 *per annum*.

78. Job Printing offices, \$25 *per annum*.

79. Lumber dealers, each yard \$50 *per annum*.

80. Marble and stone yards, \$25 *per annum*.

81. Merchant tailors, \$10 *per annum*, and *ad valorem* as other merchants.

82. Milk, flour and meal or either, \$25 *per annum*.

83. Museums \$250 *per annum*; per week or less, \$10.

84. Mercantile agencies, \$100 *per annum*.

85. Machine shops and foundry combined \$50 *per annum*.

86. Patent medicine peddlers on foot, \$10 per quarter or less; on horse, \$20 per quarter or less; in vehicles, \$50 per quarter or less.

87. Plumbers and gas fitters, \$10 *per annum*, and *ad valorem* as other merchants.

88. Planing mills, \$50 *per annum*.

89. Phosphate or fertilizer works, \$50 *per annum*.

90. Skating rinks, \$100 *per annum*.

91. Stock yards, each pen \$5 *per annum*.

92. Soda water manufactories, \$25 *per annum*.

93. Traveling exhibitions such as telescopes, microscopes, lung-testers, muscle-testers, ball and knife throwing, galvanic batteries, and all similar in character not otherwise taxed, \$5 per week or less.

94. Ten pins, each alley, \$15 *per annum*.

95. Undertakers, \$25 *per annum*, and *ad valorem* as other merchants.

96. Elevator companies, \$350 *per annum*.

97. Bucket Shops, or dealers in futures, or agents taking orders for futures to be filled outside of the State, \$1,000 *per annum*.

SEC. 12. *Be it further enacted*, That this act take effect from and after its passage the public welfare requiring it.

Passed February 22, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved February 27, 1883.

WM. B. BATE,

Governor.

CHAPTER XI.

AN ACT to amend section 3103 of the Code.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That sections 3103 of the Code be and the same is hereby amended so as to read as follows: Where the sum in controversy is less than one thousand dollars, the answer of the garnishee is not con-

Answer of ngar-
nishee.

clusive, but the plaintiff may controvert any of the facts contained therein; upon the trial the answer of the garnishee is evidence.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 22, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved February 27, 1883.

WM. B. BATE,
Governor.

CHAPTER XII.

A BILL, to be entitled AN Act to fix the time for the holding the Circuit and Chancery Courts for the county of Cumberland, State of Tennessee, and to amend an Act passed April 19, 1882, and approved April 21, 1882, entitled An Act to fix the time of holding the Circuit and Chancery Courts in the county of Pickett, and to change the time of holding the Circuit Courts in the county of Overton, and to change the time of holding the Circuit and Chancery Courts in the county of Cumberland, in the Sixteenth Judicial Circuits of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act passed April 19, 1882, and approved April 21, 1882, entitled An Act to fix and regulate the time of holding the Circuit and Chancery Courts of the Sixteenth Judicial Circuit of the State of Tennessee, be so amended that hereafter the Circuit and Chancery Courts for the county of Cumberland, Tennessee, shall be held at the court-house in Crossville, Tennessee, on the fourth Mondays after the fourth Monday in March, July and November, of each year, by the Circuit Judge holding the Courts in said Judicial Circuit.

Cumberland
Chancery Court,
when held.

SEC. 2. *Be it further enacted*, That all laws in conflict with this Act be and the same is hereby repealed.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 23, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved February 27, 1883.

WM. B. BATE,
Governor.

CHAPTER XIII.

A BILL to be entitled An Act to prevent the sale, loan or gift of pistol cartridges in this State.

Be it enacted by the General Assembly of the State of Tennessee, That it shall be unlawful for any person or persons to buy or sell or give away any pistol cartridges in this State. Pistol cartridges unlawful.

Be it further enacted, That any person or persons violating this Act, shall be guilty of a misdemeanor, and on conviction thereof shall be fined not less than twenty-five or more than one hundred dollars. Penalty.

Be it further enacted, That this Act shall be given in charge by the judges of the Circuit and Criminal Courts of this State, to the grand juries at each term of the Court, and that the grand juries are hereby clothed with inquisitorial powers to send for witnesses, and prefer presentments against any persons guilty of a violation of this Act; *provided, however*, that nothing in this Act shall be construed to interfere with the sale of cartridges for rifle guns or shot guns, or cartridges for army or navy pistols. Grand juries have inquisitorial powers.

Passed February 24, 1883

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 3, 1883.

WM. B. BATE,
Governor.

CHAPTER XIV.

A BILL to be entitled An Act to prohibit the sale of Toy Pistols in the State of Tennessee.

Toy pistols,
cartridges, etc,
unlawful.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be unlawful for any persons, company or corporation to sell, or offer for sale, any toy pistols, cartridges, caps, or other contrivance by which said pistols are fired, within the limits of the State of Tennessee, or to bring any of said articles within the limits of this State; and any person, company or corporation violating any of the provisions of this Act shall be guilty of a misdemeanor, and on conviction thereof, shall be fined not less than twenty, nor more than fifty, dollars.

Passed February 24, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 3, 1883.

WM. B. BATE,
Governor.

CHAPTER XV.

A BILL to be entitled an Act to amend an Act entitled "An Act to create the office of County Judge for Carroll and DeKalb counties, passed December 14, 1871, and approved December 15, 1871.

DeKalb County -- Judgship
abolished.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That so much of an Act passed December 15, 1871, entitled "An Act to create the office of County Judge for Carroll and DeKalb counties," as relates to DeKalb county, be and the same is hereby repealed; that wherever the word DeKalb occurs in the caption or body of said Act, the same is hereby stricken out, and that the office of County Judge for DeKalb county, be and the same is hereby abolished.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 24, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 3, 1883.

WM. B. BATE,
Governor.

CHAPTER XVI.

AN ACT to repeal an Act entitled "An Act to be entitled an Act to have the record books in the Land Office at Knoxville properly and correctly indexed, approved March 25, 1873.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Act passed and approved March 25, 1873, entitled "An Act to be entitled an Act to have the record books in the Land Office at Knoxville properly and correctly indexed by the same is hereby repealed. Repealing act to index record books at Land Office at Knoxville.

SEC. 2, *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 22, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 3, 1883.

WM. B. BATE,
Governor.

CHAPTER XVII.

AN ACT to provide for a more efficient management of Public Schools and Taxing Districts where there is an incorporated system of public schools.

Board of Education changed to School Commissioners in Taxing Dist's.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the office of members of the Board of Education be, and the same is hereby abolished in all Taxing Districts organized prior to the year 1882, where there is an incorporated system of public schools, and instead thereof the office of School Commissioner is hereby created. The Board of Education for each of said incorporated systems of Public Schools shall hereafter be composed of five School Commissioners, who shall be selected from said Taxing District at large, where said incorporated system of schools is respectively located.

Election and term of School Commissioners

SEC. 2. *Be it further enacted*, That said Commissioners shall be elected by the qualified voters of such Taxing District, and their election shall take place at the same time and place as that of the officers of said Taxing Districts, at the first election to take place on the first Thursday after the first Monday in January in the year 1884; three of said Commissioners shall be elected for two years, and two for four years, and thereafter said Commissioners shall be elected for a term of four years.

Governor to appoint Commissioners.

SEC. 3. *Be it further enacted*, That the Governor of the State of Tennessee shall immediately, on the passage of this Act, appoint five School Commissioners for each of such Taxing Districts, by and with the advice and consent of the Senate, who shall hold their offices until their successors are elected and qualified, as prescribed in this Act.

Vacancies.

SEC. 4. *Be it further enacted*, That the School Commissioners shall fill all vacancies which shall occur in the offices of School Commissioner by death, resignation, removal or otherwise, and the Commissioner so elected to fill a vacancy shall hold his office until the next election thereafter of Taxing District officers, when his successor shall be elected and qualified.

SEC. 5. *Be it further enacted*, That each one of the five Commissioners shall enter into bonds in the sum of \$5,000 with two good and sufficient sureties, which bond

shall be approved in writing by and filed with the president of the Taxing District, for the faithful performance of their duties, and the president of the Board shall also enter into an additional bond of \$5,000, secured, approved and filed in like manner, for the faithful performance of his duties as president. The president of the Board shall receive a salary not to exceed five hundred dollars *per annum*, payable in equal monthly payments; and each one of the other Commissioners shall receive a salary not to exceed two hundred dollars *per annum*, payable in like manner. They shall be citizens of said Taxing District, each Commissioner shall be a man of good moral character and temperate habits. He shall be able to read and write, and shall have a general knowledge of the common branches of learning sufficient to enable him to judge of the qualification of teachers. He shall not hold any office or position for pay or compensation in the employment of the Board of Education except the office of secretary, treasurer or census taker; nor shall he be interested directly or indirectly in any contract or business of said Board. The Board of Education shall be the judge of the qualification of its own members.

Bond of Commissioners.

Salary of Commissioners.

Qualifications.

SEC. 6. *Be it further enacted*, That said five Commissioners shall each have and possess all the powers and privileges which have heretofore been conferred on a member of said Board of Education, except where said powers and privileges have herein been restricted and modified. Three Commissioners, when regularly assembled in session, shall constitute a quorum for the transaction of business, but not otherwise.

Powers and privileges.

SEC. 7. *Be it further enacted*, That said Commissioners shall, immediately on their appointment, organize respective Boards of Education by electing a president and vice-president from among their number, and by electing a Superintendent who is not a School Commissioner, and by electing a secretary and treasurer. The secretary and treasurer may be School Commissioners, or they may be citizens who are not School Commissioners, as the said Boards of Education thus constituted and controlled by such Commissioners shall, in their discretion, see proper. Said Boards of Education shall enact By-Laws for their government. They shall pay their Superintendent a salary not exceeding twenty-five hundred dollars *per annum*, and secretary a salary not exceeding twelve hundred dollars *per annum*.

Organization and officers.

By-Laws.

Salaries.

Scholastic
census.

SEC. 8. *Be it further enacted,* That the said Boards of Education shall keep the scholastic census required by law in a well bound book, in which shall be entered the name, age, color and sex of each person of scholastic age. Said Boards of Education shall, in no case, pay for taking said census more than two cents for each person of scholastic age enumerated in said census return. Said census returns when taken, and before their adoption, shall be referred to a special committee of three Commissioners, who shall compare said return with the total population of such Taxing District, and with the census return of preceding years, and with other data and statistics, and they shall report in writing to the Board of Education whether or not, in their opinion, the census has been fully and fairly taken.

Offices abol-
ished.

SEC. 9. *Be it further enacted,* That the present officers of members of the Board of Education and school visitor, Superintendent, secretary, treasurer, teacher and other employees of said Board of Education be and they are hereby abolished.

Acts repealed.

SEC. 10. *Be it further enacted* That so much of an Act entitled an Act to charter the Memphis City Schools, passed January 27, 1869, and the amendment thereto, passed December 18, 1869, entitled an Act to amend an Act chartering the Memphis City Schools, passed January 25, 1869, as is in conflict with this Act, is hereby repealed.

SEC. 11. *Be it further enacted,* That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed February 27, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 3, 1883.

WM. B. BATE,

Governor.

CHAPTER XVIII.

AN ACT entitled An Act to protect employees and day-laborers of corporations and partnership firms against the insolvency of such corporations and firms.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That hereafter all employees and day-laborers of any corporation or partnership firm doing or carrying on any corporation or partnership business within the State of Tennessee, shall have a lien upon the corporation or firm property, real and personal, for their labor and services performed for such corporation or partnership: *Provided, however*, that such lien shall not exist for wages or compensation in arrears or unpaid for three months: *Provided*, that no valid lien existed at the time of the commencement of the action to enforce said employee's lien, and no *bona fide* purchaser be affected by the lien of said employees: *Provided*, that proceedings for the enforcement of such lien shall be begun within three months from the time the lien attached, and if not, the lien shall be lost, and no longer exist.

Lien for services.

No lien for arrearages for 3 months.

Prior liens hold.

Proceedings to begin within 3 months.

SEC. 2. *Be it further enacted*, That this lien be enforced by attachment or otherwise, as in other cases.

How enforced.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed February 28, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 3, 1883.

WM. B. BATE,
Governor.

CHAPTER XIX.

AN ACT to amend an act entitled "An Act to lessen the number of challenges in criminal cases, and to amend section 4014 of the Code," passed March, 1875.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section 1 of Chapter 75 of the Acts of 1875 be and the same is hereby so amended as to read: "In the trial of criminal prosecutions above the grade of petit larceny, the State is entitled to six ^{Challenges in criminal cases.} peremptory challenges, and the defendant, if the charge is a felony punishable with death, to twenty-four challenges, and when there are more defendants than one on trial for an offense of the grade aforesaid, the State shall be entitled to six peremptory challenges for each defendant on trial, and each defendant to twenty-four; and in all other cases the State to four for each defendant, and each defendant to ten challenges."

SEC. 2. *Be it further enacted*, That all laws and parts of laws in conflict of with this Act be and the same are hereby repealed.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 1, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 8, 1883.

WM. B. BATE,

Governor.

CHAPTER XX.

AN ACT to regulate the collection of polls.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That hereafter no levy for the collection of polls by garnishment shall be made unless the ^{Garnishment only after demand.} *the State of Tennessee*, That hereafter no levy for the collection of polls by garnishment shall be made unless the

officer having such polls for collection shall have made a personal demand upon the delinquent for his poll-tax: *Provided*, the party owing the poll-tax is a resident of the county at the time of collection.

SEC. 2. *Be it further enacted*, That all laws or parts of laws in conflict with this Act, be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 1, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 8, 1883.

WM. B. BATE,
Governor.

CHAPTER XXI.

AN ACT to amend an Act entitled "An Act to change the time of holding the Chancery Courts in the Sixth Chancery Division," Chapter 36, Acts of 1879, so as to change the times of holding the Chancery Courts at Gallatin, Hartsville, Erin, Springfield and Clarksville, in the Sixth Chancery division.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Chancery Courts in the Sixth Chancery Division shall be held at the following times and places: At Gallatin, for Sumner county, on the second Monday in December, and first Monday in June; at Hartsville, for Trousdale county, on third Monday in January and third Monday in June; at Dover, for Stewart county, on first Monday in March and first Monday in September; at Erin, for Houston county, on the first Thursdays after the first Mondays in March and September; at Clarksville, for Montgomery county, on the third Monday in April and first Monday in October; at Lebanon, for Wilson county, on the third Monday in March and fourth Monday in October; at Ashland City, for Cheatham county, on the second

Springfield.

Tuesday after the second Mondays in March and September; and at Springfield, for Robertson county, on the second Monday in May and the fourth Monday in November: *Provided*, that the next term of said Court at Ashland City shall be held on the first Tuesday after the third Monday in April in the year 1883, as fixed by said chapter 36, Acts of 1879: *And provided further*, that nothing in this Act shall make it obligatory upon the Chancellor to hold the Chancery Court at Clarksville on the third Monday in April, 1883, as herein provided for.

Process returnable as per this act.

SEC. 2. *Be it further enacted*, That subpoenas, and all other process heretofore issued, and that may hereafter issue, shall be made, and shall be returnable at the time and place fixed by the first section of this Act.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 1, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 3, 1883.

WM. B. BATE,

Governor.

CHAPTER XXII.

AN ACT to provide for the organization of corporations for the purpose of saving or wrecking vessels, cargo, and other property in distress, on the navigable waters of the United States; to carry on a general salvage and wrecking business, and to amend an Act passed March 19, 1875, entitled "An Act to provide for the organization of corporations."

Charters for salvage.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That charters may be granted to any association of individuals for the general business of wrecking, salvage and relief of vessels and other property in distress or peril in navigable waters.

SEC. 2. *Be it further enacted*, That section 5 of an Act passed March 19, 1875, approved March 23, 1875, entitled "An Act to provide for the organization of corporations," shall apply to and govern all corporations chartered and organized under this Act in the same manner that it now applies to and govern corporate charters for purposes of individual profit under said Act of March 19, 1875. Act of 1875 governs.

Sec. 3. *Be it further enacted*, That the form of charter for such wrecking and salvage company shall be as follows: "State of Tennessee. Charter of Incorporation. Be it known that (here set out names of incorporators) are hereby constituted a body politic and corporate, by the name and style of (here set out name), the general powers, privileges, etc., of said corporation are, as declared in section 5 of said Act, passed March 19, 1875, approved March 23, 1875, entitled "An Act to provide for the organization of corporations." The said company is authorized to engage in the wrecking, raising, saving, repairing, aiding and relieving of steamboats and all other water crafts, including freight and appurtenances belonging to the same, and in rendering the like service to all kinds of property which may be in peril or need, on or in the navigable waters of the United States, and in general to engage in the business of salvage and wrecking in all of its departments on said waters, and for that purpose said company is empowered to purchase, charter, build, repair, or otherwise secure wrecking boats, barges, floats, diving, wrecking and salving machinery and appurtenances convenient, useful or necessary in the promotion of said business, also to purchase, lease, or otherwise acquire such real estate, and all other property, real and personal, as may be necessary for and apply to said business; also to make all kinds of contracts for the raising, wrecking, saving, towing and repairing of all kinds of vessels and property relieved from marine peril, all contracts for necessary transportation of supplies, material and personal, and to do all things else needful or convenient for the business of said company. Form of charter.

SEC. 4. *Be it further enacted*, That the stockholders shall be held jointly and severally liable individually to the laborers, servants, clerks and operatives of the company for all moneys due and owing them, in case the corporation becomes insolvent; the indebtedness of said company shall not at any time exceed its capital stock, and any director or stockholder assenting to the creation of such indebtedness shall be individually liable to the Liability of stockholders.

contractors for such excess; no dividend shall be declared and paid when the company is insolvents, or when the payment of such dividend will impair the capital stock of said company, and any director voting for such dividend shall be jointly and severally liable to the creditors of said company for the amount of the dividend thus declared; any director may avoid liability by voting against the dividend, or by filing his objections in writing as soon as he ascertains the dividend has been made: *Provided*, said director refuses to receive such dividend.

Charters, how
obtained.

SEC. 5. *Be it further enacted*, That the charter of the company provided for by this Act shall be obtained in the same manner pointed out by section 26 of an Act passed March 19, 1875, entitled An Act to provide for the organization of corporations, which section 26 is hereby made applicable to all corporations authorized to organize under this Act.

SEC. 6. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 1, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 8, 1883.

WM. B. BATE,

Governor.

CHAPTER XXIII.

A BILL to be entitled an Act to amend an Act entitled An Act to require persons convicted of misdemeanors to work out the cost of conviction, passed March 22, 1875, Acts of 1875, Chapter 83.

How and when
county may
hire out con-
victs.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the fifth section of the Act mentioned in the title hereof, be and the same is hereby amended by adding to said section the following: where,

in any county in the State, there is no workhouse ; or none other than the jail of such county, the County Court thereof may hire out its convicts to any person or corporation, upon such terms as may be agreed on, to do any character of work which may be agreed on anywhere in the county, and in like manner any city, town or taxing district may hire out its convicts to any person or corporation upon such terms as may be agreed on, and at such work as may be agreed on, and at such place or places as may be agreed on, within the limits of the county where such city, town or taxing district is situated: *Provided*, that where such hiring is made either by such county, town or taxing district, there shall be a ^{Superintendent of convicts.} superintendent of convicts appointed by the County Court, or the governing body of such city, town or taxing district, at such salary or compensation as they or either of them may determine upon. It shall be the duty of such Superintendent to keep a well bound book, ^{Duties of Superintendent.} in which, as soon as any convict is turned over to the hirer, he shall note the name, age, residence, nationality, color and sex of each convict so hired, the amount of the fine against each, and the number of days each convict is to work, in order to work out his or her fine and costs, allowing him or her forty cents per day, of ten hours actual work, for a day's work. He shall see in all cases that each convict is discharged and set free as soon as he or she has worked out his or her fine and costs, as herein provided. He shall see that hired convicts are properly guarded so as to prevent escapes, that they are kindly and humanely treated, and properly provided with clothing, wholesome food, properly cooked and prepared for eating, that they are warmly and comfortably housed at night and in inclement weather, the whites and the blacks to be separated, and the female prisoners separated from the males ; in sickness he is to see that they have proper medicine and medical treatment, and in case of death, that they be decently buried. He is to have general supervision of the convicts under him, and is to make instant report of any ill treatment of, or cruelty to, any convict, to the power appointing him, who shall at once inquire into the matter, and have the offender promptly dealt with. He shall also make ^{Quarterly reports.} quarterly reports of the whole working of the system, or oftener if required, to the power appointing him, in which reports he shall give a full and detailed statement of all facts showing the condition of the hired convicts and appertaining to the performance of his duty towards

them, making such recommendations as he may, from time to time, deem proper for perfecting the system or bettering the condition of the convicts.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 1, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 8, 1883.

WM. B. BATE,

Governor.

CHAPTER XXIV.

AN ACT to amend section 4114 of the Code.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section 4114 of the Code be and the same is hereby amended, so as to read as follows: "In all actions brought for the collection of any debt, the warrant or summons issued by a Justice of the Peace shall be returned in the district in which the plaintiff resides, or in which his agent or attorney resides, if the plaintiff be a non-resident of the county, unless the defendant acknowledges in writing the plaintiffs' claim, and that he has no offsets."

Actions for
collection of
debt.

SEC. 2. *Be it further enacted*, That all laws or parts of laws in conflict with this Act be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 1, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 8, 1883.

WM. B. BATE,

Governor.

CHAPTER XXV.

AN ACT to amend an Act passed April 2, 1882, and approved April 6, 1882, entitled An Act to secure to creditors an equal and just distribution of the estates and assets of debtors who make general assignments for the benefit of their creditors, etc., being Chapter 121 of the Acts of 1881.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section 5 of said Act be and the same is hereby so amended as to read as follows: *Mortgages for advances on crops.*
 "That the provisions of this Act shall not prevent any person from making a mortgage or deed of trust to secure the payment for property bought or money loaned, or for necessary advancements of supplies, stock and farming implements to be made, to enable the owner of crops to make and save the same: *Provided*, the mortgage or deed of trust is executed at the time of buying the property, or borrowing the money, or making the contract for said advancements, to be made, if said mortgage or deed of trust fixes the amount of advancement to be made under said contract.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 1, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 8, 1883.

WM. B. BATE,
Governor.

CHAPTER XXVI.

AN ACT to repeal so much of an Act passed Feb. 6, 1850, Chapter 99, sections 17, 18 and 19, entitled, An Act to establish Lawrence College, in Lawrence county, as refers to the town of Santa Fe.

Corporation of
Santa Fe abol-
ished.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That so much of an Act entitled "An Act to establish Lawrence College, in Lawrence county," passed February 6, 1850, as refers to the incorporation of the town of Santa Fe, in Maury county, Tennessee, be and the same is hereby repealed; and the corporation of the said town of Santa Fe abolished, and all offices created and held under and by virtue of said Act are abolished: *Provided*, that this Act shall not be so construed as to impair the obligation of any existing liability which said corporation of Santa Fe has heretofore created.

SEC. 2. That all laws or parts of laws amendatory of said Act, so far as the same refers to the town of Santa Fe, be and the same is hereby repealed.

Passed March 2, 1883.

B. F. ALEXANDER,¹

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 8, 1883.

WM. B. BATE,

Governor.

CHAPTER XXVII.

A BILL to be entitled An Act to abolish the charter of the town of Smithville, in the county of DeKalb.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the charter of the town of

Smithville, in the county of DeKalb, be and the same is hereby abolished.

SEC. 2. *Be it further enacted*, That an Act passed December 14, 1843, Chapter XXIII, entitled "An Act to incorporate the town of Smithville, in the county of DeKalb;" also an Act of January 31, 1846, Chapter CLIII, section 4, and all other laws, acts and parts of acts, incorporating the said town of Smithville, DeKalb county, Tennessee, and the same are hereby repealed. Smithville
abolished.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 2, 1883.

B. F. ALEXANDER,
Speaker of the Senate

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 8, 1883.

WM. B. BATE,
Governor.

CHAPTER XXVIII.

A BILL to be entitled An Act to abolish the charter of the town of Alexandria, in DeKalb county, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the charter of the town of Alexandria, DeKalb county, Tennessee, be and the same is hereby repealed. Alexandria
abolished.

SEC. 2. *Be it further enacted*, That section 2 of Chapter CXI. of the Acts of 1847 8, and section 27 of Chapter CXI. of the Acts of 1868 9, and all other acts, laws, and parts of laws, in conflict with this Act, be and the same are hereby repealed.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 2, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 8, 1883.

WM. B. BATE,
Governor.

CHAPTER XXIX.

A BILL to be entitled An Act to authorize Clerks of County Courts to issue license for the exercise of any privilege in this State by the quarter as well as by the year.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be lawful for Clerks of the various County Courts in the State to issue license by the quarter for the exercise of any privilege under the laws of this State.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 2, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 9, 1883.

WM. B. BATE,
Governor.

CHAPTER XXX.

AN ACT to amend an Act entitled "An Act to incorporate the town of Huntingdon in the county of Carroll, and for other purposes," passed the 1st day of January, 1850, and to authorize the election of Mayor and town Marshal of the said town of Huntingdon by a popular vote.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That section 2 of Chapter 15 of the Acts of the Twenty-eighth General Assembly of the State of Tennessee, entitled "An Act to incorporate the town of Huntingdon in the county of Carroll, and for other purposes," passed January 1st, 1850, be so amended as to read as follows: That on the first Saturday in January of each and every year the Sheriff of said county, either by himself or one of his deputies, shall open and hold an election at the court house in the town of Huntingdon, after giving ten days' notice, by publication in some newspaper published in said town, or by written advertisement, if no paper should be published in said town, of the time and place of holding said election for a Mayor and a town Marshal and seven Aldermen, who shall respectively hold their offices for twelve months, and until their successors shall be elected and qualified, and all persons owning a freehold in said town, and all persons residing in the corporate limits of said corporation and who shall have been residents thereof for six months previous to said election, shall be entitled to vote in said election, provided they are otherwise entitled to vote for members of the General Assembly of the State; said election shall be adjudged by three qualified voters of said corporation, to be appointed and qualified by the Sheriff or one of his deputies who may hold the election. The polls of said election shall be opened at 11 o'clock, A. M., and closed at 2 o'clock, P. M., on the same day.

Election, how held.

Officers.

Voters.

Polls.

SEC. 2. *Be it further enacted,* That section 3 of said act be so amended as to read as follows: That on failure of the Sheriff of said county, by himself or one of his deputies, to give notice and hold the election for Mayor, town Marshal and Aldermen, at the time specified in this Act, it may and shall be lawful for said Sheriff, by himself or one of his deputies, to hold said election at any time thereafter in the same manner as required by this Act.

Time of election.

Qualifications
for office.

SEC. 3. *Be it further enacted*, That section 4n of said Act be so amended as to read as follows: That no person shall be eligible to the office of Mayor, Town Marshal or Alderman in said corporation, unless he shall at the time of his elevation reside within the limits of said corporation; and immediately after said election said Sheriff, or deputy holding the same, shall make out and deliver severally to the seven persons having the highest number of votes for Aldermen, and to the person having the highest number of votes for Mayor, and to the person having the highest number of votes for Town Marshal, certificates of their election.

Town Marshal.

SEC. 4. *Be it further enacted*, That so much of section 5 of said Act as provides for the election of Mayor and Town Constable by the Board of Aldermen is hereby repealed and stricken out, and the word Town Marshal substituted therefor; but the same proceedings as to the qualification of Town Marshal shall be had, and the same bond required of him, as provided for in section 5 of said Act, and the Mayor shall qualify in the same manner as now provided by law, and shall exercise the same rights and powers as provided for in said Act of which this Act is amendatory.

SEC. 5. *Be it further enacted*, That nothing in this Act contained shall have the effect in any way to interfere with the tenure of office of the present existing Board of Mayor and Aldermen or Town Constable now holding their position by virtue of the Act of which this Act is amendatory; but the first election under and by virtue of this Act shall occur on the first Saturday in January, 1883.

Passed March 1, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 1, 1883.

WM. B. BATE,

Governor.

CHAPTER XXXI.

▲ BILL for the relief of Albert Akers, former Clerk of the Circuit and Law Court of Nashville.

WHEREAS, The State of Tennessee, on the 25th day of October, 1880, recovered a judgment in the Law Court of Nashville for \$357.00, and on the same day a judgment in the Circuit Court of Davidson county for \$5,000.00 against Albert Akers, late Clerk of said county, and his securities, executions on which said judgments issued, and were levied on real estate, and the said real estate has been purchased in by the State; and

WHEREAS, Said judgments are erroneous, and were obtained on motion upon a misapprehension as to the facts, and should not be executed; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the said Albert Akers and his sureties be and they are hereby released from all liability for the amount set out in said judgments, and that the said levy of said executions on the real estate on which said executions were levied be released, and that the State of Tennessee relinquishes all claim to the said real estate purchased for and by the State in satisfaction of said judgments.

SEC. 2. *Be it further enacted*, That this Act take effect and be in force from and after its passage, the public welfare requiring it.

Passed March 3, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 6, 1883.

WM. B. BATE,

Governor.

CHAPTER XXXII.

AN ACT to repeal an Act passed April 2, 1881, and approved April 4, 1881, entitled An Act to protect game in the counties of Morgan, Fentress and Overton, so far as said Act applies to the counties of Fentress and Overton.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act passed April 2, 1881, and approved April 4, 1881, entitled An Act to protect game in the counties of Morgan, Fentress and Overton, be and the same is hereby repealed, so far as said Act applies to the counties of Fentress and Overton.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 3, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 8, 1883.

WM. B. BATE,

Governor.

CHAPTER XXXIII.

AN ACT to compensate Geo. Moore & Son for desks in the Capitol.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the sum of two hundred and two dollars be and the same is hereby appropriated out of any moneys in the Treasury not otherwise appropriated, for the purpose of paying George Moore & Son for the new desks now in use in the Hall of the House of Representatives and the Senate Chamber.

SEC. 2. *Be it further enacted*, That the Comptroller is hereby authorized to issue his warrant on the Treasurer

for said sum of two hundred and two dollars in favor of Geo. Moore & Son.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 6, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 8, 1883.

WM. B. BATE,
Governor.

CHAPTER XXXIV.

AN ACT to change the time of holding the Chancery Courts in the Third Chancery Division, and of holding the Circuit Courts in the Fourth Judicial Circuit of this State, and to provide for the renewal of bonds and retaking cognizances of persons against whom indictments or presentments are pending in any of said Circuit Courts, and to repeal all laws or parts of laws in conflict with this Act.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the time of holding the regular term of the Chancery Courts in the several counties composing the Third Chancery Division of this State, shall be as follows, to-wit: For the county of James, on the second Monday in March and September of each and every year; for the county of Meigs, on the fourth Monday of March and September; for the county of Bradley, on the third Monday of March and September; for the county of Polk, on the first Monday of February and August; for the county of Marion, on the Fourth Monday of February and August; for the county of Rhea, on the first Monday of April and October; for the county of Bledsoe, on the second Monday of April and October; for the county of Sequatchie, on the first Thursday after the second Monday of April and October; for the county of Hamilton, on the third Monday

Chancery
Courts.

of April and October; for the county of McMinn, on the fourth Monday of May and November; for the county of Monroe, on the first Monday in June and December, of each and every year, instead of the times as now provided by law for holding said Chancery Courts, and each term of said Chancery Courts shall continue until the business pending therein shall have been disposed of, or it shall become necessary to adjourn it in order to hold a regular term in some other county in said Division.

SEC. 2. *Be it further enacted,* That the time of holding the regular terms of the Circuit Courts in the several counties in the Fourth Judicial Circuit of this State, shall hereafter be as follows, to-wit: The regular terms of the Circuit Court for the county of Bradley shall be holden on the first Monday of January, May and September, of each and every year; for the county of Hamilton, on the third Monday of January, May and September; for the county of James, on the fourth Monday of April, August and December; for the county of Meigs, on the fourth Monday of February, June and October; for the county of Rhea, on the first Monday of March, July and November; for the county of Bledsoe, on the second Monday of March, July and November; for the county of Sequatchie, on the third Monday of March, July and November; for the county of Marion, on the fourth Monday of March, July and November; for the county of McMinn, on the second Monday of April, August and December; for the county of Polk, on the third Monday of February, June and October; of each and every year, and each term of said Circuit Court shall continue until the business pending therein shall have been disposed of, or until it shall become necessary to adjourn the same in order to hold the regular term of the Circuit Court for some other county in said Judicial Circuit; and all process and precepts hereafter to be issued out of any of said Courts shall be made returnable to their respective terms as herein established, except Chancery causes made returnable to same rule-day out of term time.

Terms to re-
new recogni-
zances, and
take forfeit-
ures.

SEC. 3. *Be it further enacted,* That in each of the counties in said Fourth Judicial Circuit for which the time of holding the Circuit Court has been changed by this Act, there shall be a term of said Circuit Court opened and held upon the day on which the regular term of such Circuit Court would have been holden but for this Act, or upon such day of said term as have been

designated for the trial of criminal causes, and upon which recognizances of parties have been taken to appear, for the purpose of renewing all recognizances of parties bound to appear before said Court, and all such parties as shall appear according to their respective bonds or recognizances at the next term of said Court, thereafter, as the Judge may designate, to answer the respective charges against them pending in said Court, and for taking forfeitures against all such parties as fail to appear in accordance with their said bonds or recognizance ; and for making all such orders and transacting all such business as may be necessary for the change of ^{Civil process} continued. the time of holding said Court, and securing the appearance of parties against whom indictments or presentments may be pending, or bound to appear at said Court, and all civil process returnable to such Courts shall be continued and made returnable to the next term thereafter.

SEC. 4. *Be it further enacted*, That all laws and parts of laws in conflict with this law are hereby repealed.

SEC. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 6, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 8, 1883.

WM. B. BATE,

Governor.

CHAPTER XXXV.

AN ACT to compensate Miss Julia A. Doak for services rendered as State Superintendent of Public Instruction from May 23, 1882, to July 1, 1882.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Comptroller be and he is

hereby directed to issue his warrant to Miss Julia A. Doak, for the sum of two hundred and ten dollars and fifty-eight cents, as compensation for services rendered as State Superintendent of Public Instruction from May 24, 1882, to July 1, 1882.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 7, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 9, 1883.

WM. B. BATE,
Governor.

CHAPTER XXXVI.

A BILL to alter and change the corporation limits of the town of Pulaski.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the corporation line of the town of Pulaski be and the same is hereby so altered and changed in its western boundary as follows, to-wit: commencing on the southern boundary line of said town on or near the banks of Richland Creek, at a point opposite to and upon a line with the eastern boundary of Epperson street, running thence north with the eastern boundary of said street, to a point where a drain or branch crosses said street; thence running north with said drain or branch, crossing Jefferson street at a bridge; thence north with said drain or branch to the northern boundary line of said corporation.

EC. 2. *Be it further enacted*, That all laws in conflict with this Act be and are hereby repealed.

SEC. 3. *Be it further enacted,* That this bill take effect from and after its passage, the public welfare requiring it.

Passed March 7, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 12, 1883.

WM. B. BATE.
Governor.

CHAPTER XXXVII.

AN ACT authorizing church officers and their successors to convey real estate.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That in all cases where any elders, trustees or other church officer or officers, in any of the various churches or organizations of any religious denomination in this State shall have had, or may hereafter have any lands conveyed to them for the use of their respective churches or congregations as building sites, or for any other purpose, by deed, grant, devise or in any other manner, they or their successors in office, according to the regulations of such church or congregation, may sell and convey the same by deed, which deed, when officially signed by such elders, trustees or other church officer or officers, or their successors in office, and proven and registered as other deeds, shall pass the title, whether for life, for years or in fee, to such land, to the purchaser, in as full and ample a manner as if said church officer or officers held the same as a corporation, and had conveyed it by deed under their corporate deed.

SEC. 2. *Be it further enacted*, That this Act shall take effect and be in force from and after its passage, the public welfare requiring it.

Passed March 7, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 8, 1883.

WM. B. BATE,
Governor.

CHAPTER XXXVIII.

AN ACT to change the county line between the counties of Jefferson and Sevier.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county line between the counties of Jefferson and Sevier be so changed as to include the lands of John Russell, William Felker's heirs and Benjamin Manning in the county of Sevier.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 8, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 9, 1883.

WM. B. BATE,
Governor.

CHAPTER XXXIX.

AN ACT to amend the Act of March 19, 1875, entitled "An Act to provide for the organization of corporations," so as to provide by general law for the organization of Jockey Club Companies.

SECTION 1. *Be it enacted*, That Jockey Club Companies may hereafter be organized in this State, and that charters of incorporation may be granted to such companies for purposes of individual profit, in the manner and upon compliance by the corporators with the provision of section 26 of the said Act of March 19, 1875. Charter, how obtained.

SEC. 2. *Be it further enacted*, That the provision of section 5 of said Act of March 19, 1875, shall apply to, and govern all corporations organized under this Act, and the said Act of which this is an amendment.

SEC. 3. *Be it further enacted*, That the form of a charter for a Jockey Club Company shall be as follows: State of Tennessee, Charter of Incorporation, Be it known that (here insert the name of the five or more corporators), are hereby constituted a body politic and corporate, under the name of (here insert the name of the corporation). The general powers of said corporation are (here insert the general powers as in section 5 of the said Act of March 19, 1875). The said company also has power to purchase or lease and keep a race track and grounds for training and running horses, and for games of polo, base-ball, cricket and other such exhibitions, with power to offer and pay purses for competition in running, trotting or pacing races, and in other competitions and exhibitions of quality of blood or speed, whether for racing or otherwise. To adopt rules and regulations for the government of its race meetings and other exhibitions, to fix and charge admission fees to its grounds, and charges for entry of horses, and to make all other proper rules and regulations for the maintenance of order, and to enforce the same. The said corporators shall, within a convenient time after the final registration of this charter, elect from their number a president and secretary and treasurer (the latter not necessarily to be stockholders, and with the option to combine the two into one), said president and the other corporators to constitute the first board of directors. The said board may fix the amount of the capital stock of the company, and the number of shares in which the same may be divided, and under their direction stock subscription books may be opened, and when the amount of stock fixed by said board shall have been subscribed, Form of charter.

the said president and board shall call a stockholders' meeting, of which ten days' notice, personal or by advertisement shall be given, at which meeting business pertinent to a stockholders' meeting can be transacted. The board of directors may, at any time, increase the capital stock of the company, if in their judgment the interests of the corporation require such increase. The stock of said company is to be deemed personal property.

SEC. 4. *Be it further enacted*, That this Act take effect from its passage, the public welfare requiring it.

Passed March 8, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 12, 1883.

WM. B. BATE,
Governor.

CHAPTER XL.

AN ACT to change the line of Claiborne and Union Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between the counties of Claiborne and Union be so changed as to include the farms of Andrew Pary, Richard Pary, Mary McBee, Jasper Woods, John Houston, William Shoffner, Henry Keck and William Beason, in the county of Claiborne.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring.

Passed March 8, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 9, 1883.

WM. B. BATE,
Governor.

CHAPTER XLI.

AN ACT to change the county lines between the counties of Hardeman and Chester.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county lines between the counties of Hardeman and Chester be changed as follows: Beginning at a point on the North boundary line of Hardeman county, and runs north with the line of Jesse Scoggins to the intersection of said Jesse Scoggins' north boundary line; thence east to the intersection of said Jesse Scoggins' east boundary line; thence south to a point on said Jesse Scoggins' east boundary line, where the lands of W. A. Naylor intersect said lands of said Jesse Scoggins; thence east with said Naylor's north boundary line to a point on the north boundary line of Hardeman county, so as to include wholly within the confines of Hardeman the above lands of Jesse Scoggins and W. A. Naylor.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 8, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 9, 1883.

WM. B. BATE,

Governor.

CHAPTER XLII.

AN ACT to attach the land of Nathan Davidson to Jackson county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county line between Jackson and Putnam counties be so changed as to include all the land of Nathan Davidson in Jackson county.

SFC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 8, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 9, 1883.

WM. B. BATE,
Governor.

CHAPTER XLIII.

AN ACT to amend Chapter CXXXIII of the Acts of 1879, entitled "An Act to protect game in Cumberland, Fentress, Morgan, Scott, Campbell, Overton, Putnam, White, Roane, Rhea, Bledsoe, and Van Buren counties," so as to include Carroll county in the provisions of said Act, and to protect game in Carroll county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Chapter CXXXIII of the Acts of Tennessee, passed March 19, 1879, and approved March 22, 1879, entitled "An Act to protect game in Cumberland, Fentress, Morgan, Scott, Campbell, Overton, Putnam, White, Roane, Rhea, Bledsoe and Van Buren counties be so amended as to include Carroll county in the provisions of said Act, and to protect deer and all species of game in said county, the same as deer and game is protected in the counties mentioned and specified in said Act.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage the public welfare requiring it.

Passed March 8, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 9, 1883.

WM. B. BATE,
Governor.

CHAPTER XLIV.

AN ACT to change the line between Hawkins and Hancock counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between the counties of Hawkins and Hancock be so changed as to include the lands of Wm. Medlock, Joseph Jones and Hiram Horton in Hancock county.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 8, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 9, 1883.

WM. B. BATE,

Governor.

CHAPTER XLV.

AN ACT to change the line between White and Cumberland counties, so as to include John Parks' lands in White county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between the counties of White and Cumberland be so changed as to include all the land of John Parks in the county of White.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 8, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 9, 1883.

WM. B. BATE,

Governor.

CHAPTER XLVI.

AN ACT to make certain enclosures therein defined lawful fences, and to extend to the same existing provisions of law on the subject of lawful fences.

SECTION 1. *Be it enacted by the General Assembly of State of Tennessee,* That from and after the passage of this act, the following enclosures shall be deemed and held to be lawful fences, and shall entitle the persons, whose lands are so enclosed to the same protection and remedies that they would be entitled to have if their lands were enclosed in accordance with now existing laws of this State on the subject of lawful fences; to wit: Any enclosures made by stretching not less than five strands of barbed wire tightly between posts firmly set in the ground, or between growing trees and posts firmly set in the ground, not more than twenty feet apart; the topmost wire to be not less than four and a half feet from the ground, the bottom wire not less than six inches, and the next to the bottom wire not less than fifteen from the ground; *Provided*, that fences constructed as provided in this section shall be lawful fences only as to horses, cattle and mules.

SEC. 2. *Be it further enacted,* That fences constructed as hereinafter described, shall be deemed and held as lawful fences in all respects whatever, viz: Any enclosure made by nailing fast two sound plank, each not less than six inches wide, to posts set firmly in the ground not more than eight feet apart; the bottom plank to be not more than three inches from the ground, and the second plank from the ground not more than four inches from the first; and then by stretching not less than four strands of barbed wire tightly between said posts above the planks; the topmost wire to be not less than four and a half feet from the ground, and the bottom wire to be four inches from the topmost plank; the next wire from the bottom one to be nine inches from the topmost plank, and the third wire from the bottom to be twenty-one inches from the topmost plank; the above distance as nearly as practicable. Or Bois d' Arc or Osage orange fences, wholly of Bois d' Arc or Osage orange, or in part of Bois d' Arc or Osage orange and in part of wire or other material, to be at least four feet high, and at least eighteen inches across the top and suf.

ficiently close to prevent stock of all kinds from passing through.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 8, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 14, 1883.

WM. B. BATE,
Governor.

CHAPTER XLVII.

AN ACT to change the line between the counties of Putnam and Jackson.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line of division between the counties of Putnam and Jackson be changed so as to include the lands of Nancy Owen, J. M. Mabry, J. G. Smith, and the lands of the heirs of John Smith, deceased, in the 10th civil district, and the land of W. J. Lewis, in the 7th civil district of Jackson county, within the county of Putnam.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 8, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 9, 1883.

WM. B. BATE,
Governor.

CHAPTER XLIII.

AN ACT to repeal an Act passed March 19, 1879, and approved March 22, 1879, entitled "An Act to allow receivers appointed by Courts of other States to bring and become parties to pending suits in any Court of Tennessee."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Act passed March 19, 1879, and approved March 22, 1879, entitled An Act to allow receivers appointed by Courts of other States to bring and become parties to pending suits in any Courts of Tennessee, be and the same is hereby repealed.

SEC. 2. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 9, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 14, 1883.

WM. B. BATE,
Governor.

CHAPTER XLIX.

AN ACT to change the time of holding the Circuit Courts at Trenton, in the 13th Judicial Circuit.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That from and after the April term, 1883, of the Circuit Court of Trenton, in the 13th Judicial Circuit, the term of said Court shall begin and be held on the first Tuesdays after the first Mondays of April, August and December, instead of on the

first Mondays of April, August and December, as now provided by law.

SEC. 2. *Be it further enacted*, That all laws in conflict with this Act be and the same are hereby repealed, and that this Act take effect from and after the first day of May, 1883, the public welfare requiring it.

Passed March 9, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 12, 1883.

WM. B. BATE,
Governor.

CHAPTER L.

AN ACT to change the time of holding the Circuit Court in the county of Grundy.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Circuit Court for Grundy county shall be held on the first Tuesday after the third Monday in May, and the first Tuesday after the fourth Monday in October of each year, instead of the time fixed by former laws.

SEC. 2. *Be it further enacted*, That all laws in conflict with this be repealed, and that this Act take effect from and after the May term of said Court.

Passed March 9, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 12, 1883.

WM. B. BATE,
Governor.

CHAPTER LI.

A BILL to be entitled An Act to change the line between the counties of Scott, Anderson and Campbell counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county line between the counties of Scott, Madison and Campbell counties be so changed as to include all the lands of Richmond Kennedy in Campbell county.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 9, 1883,

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 12, 1883.

WM. B. BATE,
Governor.

CHAPTER LII.

To be entitled An Act to amend an Act entitled an Act to provide for the lease and management of the Penitentiary, passed March 21, 1877, and approved March 26, 1877, and to extend the present lease for five months, or until January 1, 1884.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the existing lease of the Penitentiary to the present lessees be extended so as to expire on the first day of January, 1884, instead of the first day of August, 1883; *provided* such lessees shall agree to pay for said extension of five months at the rate of one hundred thousand dollars per year, and shall execute a bond in double the amount of the rental for a period of five months, with approved security, in all respects conformable to the bond required by the Act to which this is an amendment: *And provided further*, that

Lease extended.

such lessees, or the survivors of them, in consideration of such extension, enter into an additional bond with approved security, in the sum of one hundred thousand dollars, conditioned that when the Penitentiary is again leased, they will begin the bidding by putting in a bid of one hundred thousand dollars per year for the term for which the lease may be made: *And provided further*, that said bonds provided for in this section shall be given within five days after the passage of this Act. Additional
bond.

SEC. 2. *Be it further enacted*, That the Governor shall, and it is hereby made his duty, to approve said bonds when considered by him sufficient.

SEC. 3. *Be it further enacted*, That nothing contained in this Act shall be construed as affecting the validity of the existing lease made under the provisions or liability of the lessees and said lease or the bond heretofore executed by said lessees.

SEC. 4. *Be it further enacted*, That the extension of the lease provided for in this Act shall be subject, in all respects, to the conditions and requirements of the Act of March 21, 1877.

SEC. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 12, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD.

Speaker of the House of Representatives.

Approved March 14, 1883.

WM. B. BATE,

Governor.

CHAPTER LIII.

AN ACT to change the line between the counties of Cheatham and Montgomery.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the lines between the counties of Cheatham and Montgomery be so changed as to include the house and lands of Wiley B. Stewart, in Cheatham county.

SEC. 2. This Act to take effect from and after its passage, the public welfare requiring it.

Passed March 13, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 14, 1883.

WM. B. BATE,

Governor.

CHAPTER LIV.

AN ACT to change the line between the counties of Sevier and Jefferson.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the line between the counties of Sevier and Jefferson be so changed as to include the lands of B. C. Thornburgh, James A. Caldwell and John Caldwell, in the county of Jefferson.

Passed March 13, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 14, 1883.

WM. B. BATE,

Governor.

CHAPTER LV.

AN ACT to change the county line between the counties of Benton and Carroll.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between the counties of Benton and Carroll be and the same is hereby so changed as to place the dwelling-house and lands of J. T. Dudley within the limits of the county of Benton; beginning at the southeast corner of J. T. Dudley's Carroll county land, thence north $24\frac{1}{2}$ poles to a stake, thence west 10 poles to stake, thence north 8 poles to a stake; thence east 10 poles to stake in county line, thence south 8 poles to the beginning.

SEC. 2. *Be it further enacted*. That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 13, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 14, 1883.

WM. B. BATE,

Governor.

CHAPTER LVI.

AN ACT to change the line between the counties of Carroll and Henderson.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between the county of Carroll and the county of Henderson be changed so as to run as follows: Beginning at the southwest corner of Vaden's lands, where it joins the Carroll county line,

and run with said south line in Henderson county until it strikes the south line of W. A. Thompson's land ; thence south his line to the southeast corner of the same ; then north to the county line, so as to include the lands of W. T. Vaden and W. A. Thompson in the county of Carroll.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 13, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 14, 1883.

WM. B. BATE,

Governor.

CHAPTER LVII.

AN ACT to repeal an Act entitled "An Act granting to the town of Mitchellville an additional Justice of the Peace," passed March 19, 1877.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Chapter 30 of the Acts of General Assembly of the State of Tennessee, passed March 19, 1877, entitled, "An Act granting the town of Mitchellville an additional Justice of the Peace, be and the same is hereby repealed."

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed, March 13, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 14, 1883.

WM. B. BATE.

Governor.

CHAPTER LVIII.

TO define the change of the county line between the counties of Bledsoe and Cumberland. An Act to amend the 2d section of chapter 137 of an Act passed on the 17th day of March, 1879, to change the county line between the counties of Bledsoe and Cumberland.

WHEREAS, Said section of said Act proposed to include the lands of J. N. Thurman and the Stephens heirs in the county of Bledsoe, and to change the county line between the counties of Cumberland and Bledsoe so as to include said land in Bledsoe county, and the name of J. N. Thurman was by mistake enrolled J. M. Thorin.

SECTION 1. *Therefore, be it enacted by the General Assembly of the State of Tennessee, That said section of said Act be so amended as to read J. N. Thurman and the Stephens heirs in room and instead of J. N. Thorin and the Stephens heirs, and that said 2 section of chapter 137 of the Acts of 1879, be so far repealed as the same comes in conflict with this Act.*

Passed March 13, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 14, 1883.

WM. B. BATE,

Governor.

CHAPTER LIX.

AN ACT to change the county line between the counties of Maury and Hickman.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, That the county line between the counties of Maury and Hickman be changed and estab-*

lished so as to include a portion of the lands of R. C. Gordon in the county of Maury, as follows, to-wit: Beginning at a large beech in or near the line between Hickman and Maury counties, marked H. & M.; thence north 8° east four poles to the center of the Gordon's Ferry road; thence with the center of said road south 89° thirty-four poles, south 77° west twenty-four poles, south 83° west forty-six, north 84° west one hundred and four poles to the center of Duck River; thence up said river in the center to the county line; thence with said county line (between Maury and Hickman) north 21° west thirty-two poles, north 45°, east 12°, north 59° east ten poles, north 89° east sixteen, north 85° east twelve, north 58° east fifty-five poles to the beginning; cutting off by estimation $\frac{825}{10000}$ of a square mile.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 13, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 14, 1883.

WM. B. BATÉ,

Governor.

CHAPTER LX.

AN ACT to provide for the sale of Fulton Academy in DeKalb county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That J. L. Calvert, F. B. Potter and C. W. L. Hale, are hereby appointed Commissioners to sell Fulton Academy and lot situated in Smithville, in the county of DeKalb, and to invest the proceeds realized from said sale in Pure Fountain College, situated in Smithville, for the benefit of the State. That said

Academy and lot shall be sold on six, twelve and eighteen months' credit.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 13, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 14, 1883.

WM. B. BATE,
Governor.

CHAPTER LXI.

AN ACT to allow an additional justice of the peace in the 13th Civil District of Coffee county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the 13th Civil District of Coffee county be and is hereby allowed an additional justice of the peace (who shall reside and keep his office in the town of Tullahoma, in said Civil District), with the jurisdiction and powers of like officers in the State; to be elected by the qualified voters within the limits of said District.

SEC. 2. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 13, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 14, 1883.

WM. B. BATE,
Governor.

CHAPTER LXII.

AN ACT to change the county line between the counties of Franklin and Moore. An Act to attach the lands of S. S. and J. A. Reaves, T. L. D. Parks, J. W. Anderson, J. M. Turner and Wiley Millsaps, to Moore county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county line between Franklin and Moore counties be so changed as to include all the farms of S. S. and J. A. Reaves, T. L. D. Parks, J. W. Anderson, J. M. Turner and Wiley Millsaps, in the county of Moore, the said lands affected by this change being those through which, or near which, the present line now runs.

SEC. 2. *Be it enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 13, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 14, 1883.

WM. B. BATE,

Governor.

CHAPTER LXIII.

A BILL entitled An Act to repeal the Act of incorporation of the inhabitants of the town of Winchester in the county of Franklin.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all except the last section (No. 13) of an Act passed October the 20th, in the year eighteen hundred and twenty-one (1821), entitled An Act to incorporate the inhabitants of the town of Winchester, in the county of Franklin, be and the same is hereby repealed.

SEC. 2. *Be it further enacted*, That all other laws per-

taining to the same subject, and applicable to the same town, (Winchester,) are hereby annulled.

SEC. 3. *Be it further enacted*, That this Act shall take effect and be enforced on and after the first day of January, in the year eighteen hundred and eighty-four, (1884).

Passed March 13, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 14, 1883.

WM. B. BATE,

Governor.

CHAPTER LXIV.

AN ACT to abolish the corporation of the town of Newport Depot.

WHEREAS, The citizens of the town of Newport Depot did, in compliance with the provisions of section 1349, and the succeeding section of Title 9, Chapter 1, Article 1, of the Code, incorporate said town of Newport Depot; and

WHEREAS, There are no provision under said section by which the citizens of said town may surrender their charter of incorporation; Therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the action of the citizens of Newport Depot, by which said town was incorporated, be and the same is hereby annulled, and the corporation of Newport Depot be and is hereby abolished.

SEC. 2. *Be it further enacted*, That this Act take effect from and after the first day of May, 1883, the public welfare requiring it.

Passed March 13, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 14, 1883.

WM. B. BATE,

Governor.

CHAPTER LXV.

AN ACT to change the line between the counties of Overton and Fentress.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between the counties of Overton and Fentress be so changed as to include all the lands of Tranville F. Bilbrey in Overton county.

SEC. 2. *Be it further enacted*, That this Act take effect from and after passage, the public welfare requiring it.
Passed March 13, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 14, 1883.

WM. B. BATE,

Governor.

CHAPTER LXVI.

AN ACT to change the county line between the counties of DeKalb and Warren.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between the counties of DeKalb and Warren be so changed as to detach that portion of the lands now belonging to S. G. Hawkins lying in DeKalb and attach them to the county of Warren.

SEC. 2. *Be it enacted*, That this Act take effect from and after its passage, the public welfare requiring it.
Passed March 13, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 14, 1883.

WM. B. BATE,

Governor.

CHAPTER LXVII.

AN ACT to abolish the charter of the town of Alamo, in the county of Crockett, in the State of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the charter of the town of Alamo, in the county of Crockett, be and the same is hereby abolished; *Provided*, that nothing in this Act contained shall be so construed as to exempt the taxable property and polls within the bounds of said corporation from the payment of any and all outstanding debts against said corporation.

Passed March 13, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 14, 1883.

WM. B. BATE,

Governor.

CHAPTER LXVIII.

AN ACT to amend an Act entitled "An Act to incorporate the town of Chestnut Mound, the town of Saulsbury, to amend the charter of the town of Livingston, to incorporate Ashland City, and for other purposes." passed December 3, 1859.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section 7 of an Act passed December 3, 1859, entitled "An Act to incorporate the town of Chestnut Mound, the town of Saulsbury, to amend the charter of the town of Livingston, to incorporate Ashland City, and for other purposes," be so amended as to read as follows: That there shall be a town constable elected by the Mayor and Aldermen, who shall take an oath to faithfully execute the laws of said corporation, and who shall hold his office twelve months

Town Con

stable.

Bond \$1,500.

Powers of town
constable.

from the date of his election, and until his successor is elected and qualified ; he shall give bond to the Mayor, approved by him, to faithfully execute his office, and also to give bond in the sum of fifteen hundred dollars to account for all moneys coming into his hands. Said constable shall have power to execute all State warrants for a violation of the criminal laws of the State of Tennessee, to execute civil processes within the corporate limits, as well as to execute all warrants for the violation of the ordinances or charter of said town ; he shall have power to summon witnesses, etc.

Election of
Aldermen.

SEC. 2. *Be it further enacted*, That section 11 of said Act passed December 3, 1859, be so amended as to read as follows : That this Act take effect from and after its passage, and that the Sheriff, or his deputy, in the county aforesaid, is hereby authorized to open and hold an election in the manner provided for by the 3d section of this Act, for seven Aldermen who shall hold their offices until the first Saturday in August next, and until their successors shall have elected and qualified, and if the said Sheriff, or his deputy, as aforesaid, shall fail to hold an election as provided for by the 3d section of this Act, on the first Saturday in August next, or each year thereafter, then it may be lawful for said Sheriff, or his deputy, to hold said election, at any time thereafter, in the same manner as required by this Act.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 13, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 14, 1883.

WM. B. BATE,

Governor.

CHAPTER LXIX.

AN ACT to repeal so much of an Act passed January 10, 1850, entitled "An Act to incorporate the town of Linden, in Perry county, and Dyersburg, in Dyer county, and for other purposes," as relates to the town of Linden.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act passed January 10, 1850, entitled "An Act to incorporate the towns of Linden, in Perry county, and Dyersburg, in Dyer county, and for other purposes," be and the same is hereby repealed, so far as the same relates to the town of Linden or the corporation thereof.

Passed March 13, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 19, 1883.

WM. B. BATE,
Governor.

CHAPTER LXX.

AN ACT to repeal the Act incorporating the town of Spring Creek in Madison county, and to abolish the corporation of said town.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That so much of the former Act of the General Assembly as incorporates the town of Spring Creek, in Madison county, Tennessee, and all other Acts of said General Assembly, conferring corporate power upon said town of Spring Creek, be and the same are hereby repealed.

SEC. 2. *Be it further enacted*, That the charter of said town of Spring Creek be and the same is hereby repealed, and the incorporation of said town is hereby abolished.

Passed March 13, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 19, 1883.

WM. B. BATE,
Governor.

CHAPTER LXXI.

A BILL to be entitled An Act declaring Little River in Blount county navigable.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Little River in Blount county be and the same is hereby declared a navigable stream.

SEC. 2. *Be it further enacted*, That it shall be unlawful for any person or corporation to obstruct said stream so as to prevent saw-logs from floating down the stream, and any person or corporation so obstructing said stream shall be deemed guilty of a misdemeanor, and upon conviction, shall be punished by fine and imprisonment, or both, at the discretion of the Court.

SEC. 3. *Be it further enacted*, That this Act shall in no way interfere with any mill-dams now erected on said stream.

SEC. 4. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 13, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 19, 1883.

WM. B. BATE,
Governor.

CHAPTER LXXII.

AN ACT to abolish the corporation of the town of Eaton, and to repeal all Acts and parts of Acts incorporating the town of Eaton.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That so much of an Act of the General Assembly of the State of Tennessee, heretofore passed, as incorporated and conferred corporate powers on the town of Eaton, in Gibson county, be and the same is hereby repealed.

SEC. 2. *Be it further enacted*, That the incorporation of said town of Eaton, in Gibson county, is hereby abolished, and all Acts and parts of Acts in conflict with this Act are hereby repealed.

Passed March 13, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 19, 1883.

WM. B. BATE,

Governor.

CHAPTER LXXIII.

AN ACT to amend an Act passed December 4, 1843, establishing the Macon County Academy.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all the property, both real and personal, that belongs to the Macon County Academy shall be turned over to the directors of the common school of the first district in Macon county, to be by said directors controlled and used for the benefit of a graded school, as required by the present existing common school laws, to be established in or near Lafayette, to be for the use and benefit of the common school in

said first district, and also for the use and benefit of said graded school to be established in conjunction with said common schools.

SEC. 2. *Be it further enacted*, That the office of Trustees created by said original Act, be and the same is hereby abolished, and said Trustees are directed to turn over all said funds, both real and personal, to the directors of the common school of the first district in Macon county, as aforesaid.

SEC. 3. *Be it further enacted*, That said directors, and their successors in office, be invested with all the corporate rights, charters, privileges and immunities that were vested in Trustees by virtue of said original Act.

SEC. 4. *Be it further enacted*, That all laws and parts of laws coming in conflict with this Act, be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 15, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 19, 1883.

WM. B. BATE,

Governor.

CHAPTER LXXIV.

AN ACT to repeal the charter of the town of Goodlettsville.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act incorporating the town of Goodlettsville, in the county of Davidson, be and the same is hereby repealed.

Passed March 13, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 19, 1883.

WM. B. BATE,

Governor.

CHAPTER LXXV.

AN ACT to abolish the corporation of the town of Georges Store in Lincoln county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee.* That the charter of incorporation of the town of Georges Store in Lincoln county, granted June 10, 1880, be and the same is hereby abolished.

Passed March 13, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 19, 1883.

WM. B. BATE,

Governor.

CHAPTER LXXVI.

AN ACT to repeal an Act passed January 17, 1838, entitled "An Act to incorporate the town of Portersville, in Tipton county, and the Act amendatory thereof passed March 24, 1875, entitled an Act to amend the charter and extend the limits of the corporation of the town of Portersville and change the name thereof, and to abolish the corporation of the town of Atoka, in Tipton county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That an Act passed January 17, 1838, entitled an Act to incorporate the town of Portersville, in Tipton county, and the Act amendatory thereof, passed March 24, 1875, entitled an Act to amend the charter and extend the limits of the corporation of the town of Portersville and change the name thereof, be and the same are hereby repealed.

SEC. 1. *Be it further enacted,* That the corporation of said town of Atoka, in Tipton county, as created and established and duly registered in the office of the Secretary of State, at Nashville, Tennessee, on the 8th day of July, 1880, in Corporation Book C, page 660, under and by virtue of the provisions of chapter 142, Acts of

1875, and the Acts amendatory thereof, be and the same is hereby repealed, and the corporation of said town of Atoka is abolished.

SEC. 2. *Be it further enacted*, That all laws and parts of laws in conflict with this Act, be and the same are hereby repealed.

Passed March 13, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER.

Speaker of the Senate.

Approved March 19, 1883.

WM. B. BATE,

Governor.

CHAPTER LXXVII.

AN ACT to change the time of holding the Chancery Court of Macon county.

SECTION 1. *Be it enacted by the General Assembly of State of Tennessee*, That the Chancery Court of Macon county shall hereafter be held on Thursday after the second Monday in October, and on Thursday after the first Monday in May, and all process shall be returnable accordingly; the first section of the Act of April 24, 1882, be and the same is hereby repealed, and the Act of March 19, 1881, Chapter 17, is amended as to conform to this Act.

SEC. 2. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be, and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 13, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 19, 1883.

WM. B. BATE,

Governor.

CHAPTER LXXVIII.

AN ACT to repeal the charter of the town of White Bluff, in Dickson county, and repeal sections 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, of an Act of 1869, Chapter 26, passed December 1, 1869, entitled An Act to reduce the charter of the city of Memphis, and several Acts amendatory thereof, into one Act, and to revise the same.

SECTION 1. *Be it enacted by the General Assem the State of Tennessee*, That an Act entitled An Act to reduce the charter of the city of Memphis, and several Acts amendatory thereof, into one Act, and revise the same, of the Acts of 1869, Chapter 26, passed December 1, 1869, be and the same is hereby amended to repeal sections 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, of said Act, and said sections, from 101 to 112 inclusive, be and the same are hereby repealed.

Passed March 13, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 19, 1883.

WM. B. BATE,

Governor.

CHAPTER LXXIX.

AN ACT to abolish the corporation of the town of Lexington, Tenn.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the charter of the town of Lexington, Tennessee, be and the same is hereby repealed, and the corporation of said town is hereby abolished.

SEC. 2. *Be it further enacted*, That all laws and parts of laws and decrees of courts incorporating said town of Lexington be and they are hereby repealed.

SEC. 3. *Be it further enacted*, That all laws and parts of laws and decrees of court in conflict with this Act be and they are hereby repealed, vacated, annulled and for nothing had or held.

SEC. 4. *Be it further enacted*, That an Act entitled an Act incorporating the town of Lexington in the county of Henderson, passed Oct. 9th, 1824, and section 4 of an Act passed November 8th, 1827, entitled an Act incorporating the inhabitants of the town of Dresden in the county of Weakley, extending the corporate limits of said town of Lexington, and all other laws amendatory of said original Act, passed October 9th 1824, be and they are hereby repealed, and that this Act take effect on and after the first day of January next.

Passed March 13, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 19, 1883.

WM. B. BATE,

Governor.

CHAPTER LXXX.

AN ACT to repeal so much of an Act passed January 10, 1850, entitled "An Act to incorporate the towns of Linden in Perry county, Dyersburg in Dyer county, and for other purposes, as relates to the town of Decaturville in Decatur county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act passed January 10, 1850, entitled "An Act to incorporate the towns of Linden in Perry county, Dyersburg in Dyer county, and for other purposes, be and the same is hereby repealed, so far as the same relates to Decaturville or the corporation thereof.

Passed March 13, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 19, 1883.

WM. B. BATE,

Governor.

CHAPTER LXXXI.

AN ACT to change the line between the county of Tipton and the counties of Fayette and Shelby.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between the county of Tipton and the counties of Fayette and Shelby, be and the same is hereby changed as follows :

Beginning at a point on the line between Tipton and Fayette counties where the Memphis and Louisville railroad crosses East Beaver Creek ; thence down said creek with its meanders to the point where the same empties into Middle Beaver Creek, on the line between Fayette and Shelby counties ; thence up said Beaver Creek with its meanders to the south line of Tipton county, so as to include all territory of Shelby and Fayette counties lying north and east of said creeks, in Tipton county, and that all property real and personal within said territory be assessed for taxes after the year 1883, in said Tipton county : *Provided, however*, no tax shall be assessed on said property for the payment of bonds issued by the county of Tipton, under the general improvement laws of the State, to the Memphis and Paducah railroad.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 13, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 18, 1883.

WM. B. BATE,
Governor.

CHAPTER LXXXII.

AN ACT to change the line between Hamilton and Sequatchie counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county line between the counties of Hamilton and Sequatchie be, and it is hereby, so changed as to include within the county of Hamilton the lands of L. B. Jones: *Provided*, that this Act shall not be in force until the said L. B. Jones shall have, at his own expense, caused the change of line contemplated herein surveyed, and a plat thereof made, and the said survey and plat filed in the office of the Secretary of State with this bill, showing the new line as then established.

SEC. 2. *Be it further enacted*, That this Act shall take effect and be in force from and after its passage, the public welfare requiring it.

Passed March 13, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 28, 1883.

WM. B. BATE,
Governor.

CHAPTER LXXXIV.

A BILL to settle the amount of the public debt of the State, fix the rate of interest thereon, provide for the funding thereof, and the compensation of the officers of the State therefor.

WHEREAS; A large part of the bonded indebtedness of Tennessee is composed of interest which accumulated during the war between the States, when the people were unable and also forbidden to pay the same, and under such circumstances as relieved private trustees from the

obligation to pay interest on trust funds; and

WHEREAS, This illegal war interest was under the forms of law funded into six per cent. bonds at a time when a large majority of the citizens of the State were disfranchised and denied any voice in the administration of its government, and has since for many years borne interest upon interest, until now it constitutes about one-third of the entire debt; and

WHEREAS, Over seven-eighths of the indebtedness claimed against the State of Tennessee consists of bonds loaned by the State to railroad companies on the faith and credit of their property, composing what is known to the people of Tennessee as the railroad debt, and constituting an indebtedness, for the payment of which, the railroad companies were primarily liable and principal debtors; and

WHEREAS, A large part of the railroad debt arose out of the calamity of civil war, whereby the railroad companies were unable to accumulate profits, and the property was destroyed or appropriated to the uses of the belligerents; and

WHEREAS, Another large part of said railroad debt accrued to the State by reason of faithless management in recklessly loaning the bonds of the State without a compliance with the restrictions and limitations enacted for its protection at a time when a majority of the people of Tennessee were not permitted to have a voice in selecting their governing agents; and

WHEREAS, A large majority of the bonds loaned by the State to railroad companies were contrary to law, sold at less than half their nominal value for National currency at a time when its purchasing power was far below that of coin, and the burden of the State, by reason of such illegal sale of its bonds, and the depreciation of railroad property, consequent on the appreciation of currency, was greatly increased; and

WHEREAS, No interest comparatively has been paid on the debt since the beginning of the war between the States, but the principal has been wrongfully and unlawfully increased, as herein stated, while the accrued interest has been compounded from time to time by funding the same, under various Acts, into bonds bearing interest at a rate double that paid by other States and Nations in the money centers of the world for the use of capital; and

WHEREAS, Owing to the constant accumulation of the debt and the indisposition of the people to submit

to unjust exactions under the forms of law, the public credit has been impaired and speculators have thereby been enabled to buy up the bonds of the State at less than half their nominal value ; and

WHEREAS, For the foregoing reasons, the conviction is deeply rooted in the public conscience that the larger part of the debt is inequitable and unjust in its consideration if not illegal in its obligation, and the public creditors have for years conceded the right of the State to a reduction of their claims on account of its undoubted equities ; and

WHEREAS, By reason of the calamities of war resulting in the loss of half the material resources of the State, and to that extent diminishing the sources of revenue, and by reason of the imperative necessity growing out of the war for an increase of taxes for the support of public schools and other purposes, the people of Tennessee have and do entertain the convictions that it is their right and duty to insist upon a recognition of these equities in any settlement that may be made of the public debt, and that they are justified by good morals and the example of other free States in looking beyond the letter of bonds and paying in their satisfaction such an amount as the demands of justice and good conscience or sound public policy may require ; and

WHEREAS, By reason of the wide difference in the various propositions of settlement heretofore submitted by the public creditors, and the bitter and acrimonious controversies growing out of the discussion of the question resulting in injury to the State, it has become the duty of the people to put an end to controversy and unprofitable negotiation by finally fixing and tendering the amount they will pay ; and

WHEREAS, A large majority of the people of Tennessee have given a distinct expression of their will on this subject and declared that on grounds of public policy they will pay in full the bonds held by Mrs. James K. Polk, and all bonds held by educational, literary and charitable institutions in this State ; that they will pay in discharge of their just obligation, what is known to them as the State debt proper, in full less war interest, and that in compromise of the remainder of the debt, known to them as the railroad debt, they will pay one-half of the principal and accrued interest by issuing therefor bonds of the State bearing interest at the rate of three per cent per annum ; now therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the bonds comprising the State debt proper of the State is as follows :

	State debt proper.
Capitol bonds.....	\$493,000
Hermitage bonds.....	35,000
Agricultural bonds.....	18,000
Union Bank bonds.....	125,000
Bank of Tennessee bonds.....	214,000
Bonds issued to turnpike companies.....	741,000
Hiawasse Railroad bonds	280,000
East Tennessee and Georgia Railroad bonds....	144,000
Memphis and LaGrange Railroad bonds.....	68,000

together with the unpaid coupons thereto attached, including the coupons maturing the first day of July, 1883, whether said bonds are in the form as first issued or funded under the Acts of 1866, 1868 and 1873: *Provided*, they can be traced to any one of the aforesaid State debt proper bonds when first issued, shall be funded into new coupon bonds upon the following basis:

Such part of the State debt proper as now bears interest at the rate of 6 per cent. per annum shall be funded by adding to the sum of the face of the existing bond the matured interest thereon, evidenced by the coupons thereto attached, including the coupons maturing the first day of July, 1883, and from the total sum of the face of the bonds and matured interest thereon, evidenced by the coupons attached, twenty-four per cent. will be deducted, and the remainder funded in coupon bonds, bearing interest at the rate of six per cent. per annum. Such part of the State debt proper as now bears interest at the rate of five and one-fourth per cent. per annum, shall be funded by adding to the sum the face of the existing bonds the matured interest thereon, including the coupons maturing the first day of July, 1883, evidenced by the coupons thereto attached, and from the total sum of the face of the bonds and the accrued interest, twenty-one per cent. will be deducted, and the remainder funded in coupon bonds bearing interest at the rate of five and one-fourth per cent. per annum. Such part of said State debt proper as now bears interest at the rate of five per cent. per annum shall be funded by adding to the face of the existing bond the matured interest thereon, including the coupons maturing the first day of July, 1883, evidenced by the coupons thereto attached, and from the total sum of the face of the bond and the accrued interest, twenty per cent. will be deducted, and the remainder funded

Basis of funding.

Rate of interest.

into coupon bonds bearing interest at the rate of five per cent. per annum: *Provided, however,* That none of the bonds or parts of bonds heretofore issued under the previous funding acts for matured coupons, shall be funded under this section as State debt proper bonds, but the same shall be funded at fifty cents on the dollar and three per cent. interest, in the manner prescribed in section 2 of this Act: *And provided further,* that where any State debt proper bonds is past due, interest thereon shall be calculated from the date of maturing, at the rate the bonds bore before it was due, as if coupons were thereto attached: *And provided further,* that none of the bonds above enumerated shall be funded under this section as part of the State debt proper, if it shall be found on examination that they were bonds loaned to turnpike or railroad companies, and in no event shall the principal of the amount funded under this section exceed two million one hundred and eighteen thousand dollars: *Provided further,* if it shall appear that there is an excess in any class, and a deficiency in some other class in the amounts as above enumerated, then such excess shall be funded under this section to the extent of such deficiency.

Past due bonds

SEC. 2. *Be it further enacted,* That the remainder of the public debt, evidenced by bonds outstanding, as follows:

Railroad and funded bonds.

Anti-war railroad bonds.....	\$8,583,000
Post-war railroad bonds.....	2,638,000
Funded under the Act of 1866.....	2,246,000
Funded under the Act of 1868.....	569,000
Funded under the Act of 1873.....	4,867,000

together with the accrued interest thereon, evidenced by the matured coupons thereto attached, including the coupons maturing July 1, 1883, less the State debt proper bonds funded under the Acts of 1866, 1868 and 1873, and funded under section 1 of this Act as part of State debt proper, be funded with coupon bonds upon the following basis: To the sum of the face of each existing bond will be added the matured interest thereon, including the coupons maturing the first day of July, 1883, evidenced by the coupons thereto attached and one-half of the total sum of each bond, and matured interest to be funded with coupon bonds, and said bonds to bear interest at the rate of three per cent. per annum.

Basis.

Rate of interest.

SEC. 3. *Be it further enacted,* That such part of the before recited public debt of the State as may have been

funded under the Act of 1882, shall be funded under this Act upon the following basis: To the sum of the face of each of said bonds shall be added the coupons now matured thereto attached, including the coupons maturing the first day of July, 1883, and five-sixth of such total amount of each bond to be funded into coupon bonds, and said bonds to bear interest at the rate of three per cent. per annum; except such State debt proper bonds as set out and designated in section 1 of this Act, and funded under the Act of 1882, which shall be funded by adding to the face of each of said bonds the matured coupons thereto attached, including the coupons maturing the first day of July, 1883, to which shall be added twenty-six and two-third per cent. on bonds that bore six per cent. when originally issued and funded into new coupon bonds bearing interest at the rate of six per cent. per annum, and to such part of said State debt proper bonds as bore interest at the rate of five and one-fourth per cent. when originally issued, shall be added thirty-one and two-thirds per cent., and they shall be funded into new coupon bonds bearing interest at the rate of five and one-fourth per cent. per annum, and to such part of said State debt proper bonds as bore interest at the rate of five per cent. when originally issued shall be added thirty-three and one-third per cent., and they shall be funded into such coupon bonds bearing interest at the rate of five per cent. per annum; *Provided, however*, that bonds issued under the Act of 1882, for matured coupons shall be funded as prescribed in the first proviso to the first section of this Act.

SEC. 4. *Be it further enacted*, That it shall not be lawful, under this Act, to allow any interest upon past due coupons attached to any class of bonds authorized to be funded under this Act.

SEC. 5. *Be it further enacted*, That all of the existing bonds of the State held by educational, literary and charitable institutions of the State, on the first day of January, 1882, and the twenty-nine bonds held by the widow of James K. Polk are excepted out of the provisions of this Act.

SEC. 6. *Be it further enacted*, All of said bonds shall bear date the first day of July, 1883, be payable thirty years after the date thereof, be redeemable at the pleasure of the State after the expiration of five years, the interest payable at the office of the Treasurer of the State at Nashville, semi-annually, on the first day of

January and July of each year, the first coupon to mature January 1, 1884, and said bonds shall be of the following denominations: fifteen per cent. and more, if the holders desire, one hundred dollar bonds, and the remainder one thousand dollar bonds.

SEC. 7. *Be it further enacted*, That the bonds provided for in this Act shall be numbered into two series, and distinguished by the several rates of interest they are to bear, and the coupons shall be numbered with the bond to which they are attached.

Funding.

SEC. 8. *Be it further enacted*, That when any existing bonds aforesaid are presented to the Comptroller, then the Comptroller, Treasurer and the Governor of the State shall audit and examine the demand presented, and, if genuine, shall prepare a bond of the series to which the demand may belong, and when signed by the Governor and countersigned by the Secretary of State and registered in the office of the Secretary of State in a well bound book, and the seal of the State has been affixed, and the fundable bonds or coupons also registered in said office, then the Comptroller shall take a full memorandum of both the bonds and coupons so funded, and cause the same to be signed by the party demanding the bond, and then, after marking the issuance of said bond over his signature on its face, shall deliver it to the party applying. When there is a fraction of a bond less than one hundred dollars, the Comptroller and Governor may issue their certificate to the party entitled to the same, which may be registered and funded into bonds of the series to which it belongs, when presented in sufficient amount; they shall also keep a book in which every certificate shall be registered, showing to whom and when issued, the number and the amount, and the same shall be cancelled in said book when funded. It shall also be the duty of the Comptroller immediately to cancel all demands when funded, after registering them in the cancelling book, and report the same to the next General Assembly; but in the meantime he shall submit his books with the cancelled obligations on the first day of each month to the Governor, who shall examine and verify them with the bonds issued, and certify the same to the Comptroller who shall transmit the said certificate with his report to the next General Assembly.

Cancelling demands when funded.

SEC. 9. *Be it further enacted*, That as soon after the passage of this Act as possible, there shall be prepared, under the direction of the Governor, a sufficient num-

Form of bond.

ber of well engraved bonds to take up and fund the State's indebtedness, as aforesaid, with the coupons attached, and the signature of the Comptroller and Treasurer engraved upon each coupon; the coupons to be numbered with the number of the bond to which they are attached. The cost of engraving and the preparation of the bonds to be paid in the first place out of the Treasury, upon the certificate of the Governor, to the Comptroller, who shall issue his warrant therefor; and the Comptroller shall be provided with a bond book, containing on separate pages regularly numbered duplicate headings of each bond issued under this Act, with the coupon blanks attached, regularly numbered, upon which each corresponding coupon, when liquidated, after being duly registered and cancelled, shall be paid.

Bond book.

SEC. 10. *Be it further enacted*, That no part of the public debt shall be funded, paid or received, except as provided in this Act, and all laws providing any other mode or manner of funding the debt be and the same are hereby repealed.

Funding laws repealed.

SEC. 11. *Be it further enacted*, That the Comptroller, Treasurer and Secretary of State shall receive ninety cents on each bond of one thousand dollars, and forty-five cents on each bond of one hundred dollars, to be equally divided among them, and to be paid out of the Treasury of the State on the warrant of the Comptroller, based on the certificate of the Governor, provided such compensation shall, in no case, when added to their stated salaries, exceed four thousand dollars and reasonable clerk fees for the whole board, not to exceed one thousand dollars for any current year, and when their entire compensation shall exceed four thousand dollars and such clerk fees, they shall receive no other or further fees for funding the State indebtedness for any current year.

Compensation of funding bonds.

SEC. 12. *Be it further enacted*, That when there is a surplus in the Treasury not needed for the payment of the interest on the bonds funded under this Act nor for the current expenses of the State, the Comptroller shall call for the redemption of bonds bearing the highest rate of interest, which shall be taken up and paid off to the extent of the surplus.

Redemption of bonds.

SEC. 13. *Be it further enacted*. That when a bond is called for redemption by number the interest shall cease on said bond at the expiration of sixty days after the call, and if the bonds are not all funded under the pro-

Interest ceases on called bonds

Purchase of
unfunded
bonds.

visions of this Act, the Comptroller, after calling in and paying all the bonds funded under this Act, paying those bearing the highest rate of interest first, shall apply the surplus in the Treasury to the purchase of the unfunded bonds; *Provided*, that he shall not give a higher price for any bonds not funded than the amount to which they are entitled to be funded under this Act. He shall advertise for bids at such times as he may designate, and take the lowest bid, provided it is not at a greater rate or amount than the holder of said bond would have received provided it had been funded under this Act.

SEC. 14. *Be it further enacted*, That all laws and parts of laws in conflict with the provisions of this Act be and the same are hereby repealed.

SEC. 15. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 15, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 20, 1883.

WM. B. BATE,

Governor.

CHAPTER LXXXV.

AN ACT to change and fix the time of holding the Chancery Court at Sevierville, Sevier County, in the Second Chancery Division of the State of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That hereafter the Chancery Court at Sevierville, Sevier county, in the Second Chancery Division of the State of Tennessee, be held on the fourth Mondays of April and October, instead of the second Mondays of said months, as is now provided by law; and that all process, now returnable to said second Mondays, shall stand and be returnable to said

fourth Mondays instead, and shall have the same force and effect as if returned on said second Mondays.

SEC. 2. *Be it further enacted*, That so much of the Act of 1870, Second Session, Chapter 47, and of the Act of 1872, Extra Session, Chapter 15, and all other laws or parts of laws as may be in conflict with this Act be and the same are hereby repealed.

SEC. 3. *Be it further enacted*, That this Act, the public welfare requiring it, take effect from and after its passage.

Passed March 15, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 15, 1883.

WM. B. BATE,

Governor.

CHAPTER LXXXVI.

AN ACT for the benefit of the common school in the first school district of Macon county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the School Directors of the first school district be and they are hereby invested with power to sell and convey the two acres of land that belongs to said first school district, which adjoin the lands of Alexander Hancock, T. J. Gregory and others, and to purchase and take title to another building site, if necessary, for the benefit of the common and graded school in said first district.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 15, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 19, 1883.

WM. B. BATE,

Governor.

CHAPTER LXXXVII.

AN ACT to change the county line between Dickson and Hickman counties

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county line between the counties of Dickson and Hickman be so changed as to include all the lands of N. E. and Clay Andrews lying on Plunder's Creek in the Sixth Civil District in Hickman county, in the county of Dickson.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 16, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 19, 1883.

WM. B. BATE,

Governor.

CHAPTER LXXXVIII.

AN ACT to amend an Act entitled "An Act to protect fish in the State of Tennessee," passed April 4, 1881, and approved April 5, 1881.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section 1 of said Act be so amended as to read as follows: That it shall not be lawful for any person to catch, kill, destroy or take fish in or from any of the waters of this State whether a running stream or lakes, or ponds having outlets into running streams in high or low water, by means of any seine, trap, net, or to use fish-berries, lime or giant powder, dynamite, gun powder, or any other explosive substance, for the destruction of fish in any of said

Unlawful de-
struction or
capture of fish.

waters, or by any other means than by angling with hook and line, and with trot line, gig, spike, gun, grab-hook or snatch-hook: *Provided*, that none of the provisions of this Act shall hinder or prevent the commissioners of fisheries or their agents from catching or taking fish from any of said waters, at such time and in such manner as to them may seem proper, and to them only for the purpose of stocking or restocking the waters of this State: *And provided further*, that this Act shall not be construed so as to prohibit the use of a hand or minnow net in taking small fish or minnows for bait: *And provided further*, that any citizen of this State owning a lake, pond, bayou or slough, or stream, that he or she may wish to stock with fish, shall have the same rights and privileges, as to the mode and time of taking fish, for said purpose, as the commissioners of fisheries have under this Act: *And provided further*, that any person possessing or owning a private pond may have the right to catch or take fish therefrom at any time and in any manner he or she may wish, whether the same have an outlet into a running stream or not.

Lawful fishing

Restocking.

Minnow net.

Stocking streams, etc.

Private ponds.

SEC. 2. *Be it further enacted*, That section 2 be amended so as to read as follows: That it shall not be lawful for any person to place any trap of any kind whatever in any stream, or in the mouth of any stream, or tributary thereof, or in any lake, pond, bayou or slough, which has an outlet to any running stream, in low water, thereby preventing the free ascent or descent, up and down, to and from said waters.

Traps.

SEC. 3. *Be it further enacted*, That it shall not be lawful for any person to molest, disturb or damage in any way whatever, any fish eggs or young fish in any said waters in said State, except as stated in first section of this Act.

Fish eggs or young.

SEC. 4. *Be it further enacted*, That section 4 be so amended as to read as follows: That any person, company or corporation violating the 1st, 2d or 3d section of this Act, as amended, shall be guilty of a misdemeanor, and, on conviction thereof before any court of competent jurisdiction, shall be fined not less than five dollars nor more than twenty-five dollars, and shall forfeit all boats, nets, seines, and all other contrivances used in violating the provisions of this Act, which contrivances shall be sold at public auction by the Sheriff of the county in which the offense is committed.

Violation and penalty.

SEC. 5. *Be it further enacted*, That all fines collected

and money arising from sales of contrivances forfeited under this Act, shall be paid to the County Trustee for the use of the public schools of the county in which the offense is committed.

Fines, etc.,
go to public
schools.

SEC. 6. *Be it further enacted*, That all lakes, ponds, bayous and sloughs, in any part of this State, that have no outlet into any running stream in low water, are exempt from the provisions of this Act, and all lakes, ponds, bayous and sloughs covering an area of more than fifteen square miles in low water.

Ponds, etc.,
exempt, when.

SEC. 7. *Be it further enacted*, That it shall be the duty of the Judges of the Circuit and Criminal Courts of this State to give the provisions of this Act in special charge to the grand juries of their respective Courts at each and every term thereof.

Grand jury to
have specific
charge.

SEC. 8. *Be it further enacted*, That the grand juries of the Circuit and Criminal Courts of this State shall have and are hereby granted inquisitorial powers in all matters coming under the provisions of the foregoing enactment, with power to send for witnesses and papers and make presentments to the end that this Act may be fully enforced, and no prosecutor shall be required in prosecutions under this Act.

Inquisitorial
powers.

SEC. 9. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 16, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 24, 1883.

WM. B. BATE,
Governor.

CHAPTER. LXXXIX.

AN ACT to change the line between the counties of Roane and Meigs.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between the counties of Roane and Meigs be so changed as to include the lands of E. M. Ewing's home farm, the heirs of Henderson Deatherage, Wm. D. Browder, A. J. Hagler's home farm, Elizabeth Clower, Jeremiah Gepson, and the Misses Sarah and Chrissie Woolsey, in Meigs county, the line running as follows: Beginning at E. M. Ewing's corner, on the Meigs county line, at the northeast corner of McPherson's heirs, Foshee land, and running with John Johnson's and E. M. Ewing's line to the Deatherage heirs' land, thence with said Johnson and Deatherage's line to W. D. Browder's land, thence with said Browder and Johnson's line to A. J. Hagler's land, thence with Hagler and Johnson's line to Robert Martin's, thence with said Hagler and Martin's line to C. C. Durham's land, thence with said Hagler and Durham's line to W. D. Browder's land, thence with said Durham and Browder's line to Wm. Marney's land, thence with said Browder and Marney to Wm. Ellis', thence with Wm. Ellis' line (leaving Ellis in Roane county) to Mrs. Clower and James Edgeman's line, thence with said line to Hurricane Creek, thence down said creek with its meanders to said line of Meigs county.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 16, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 19, 1883.

WM. B. BATE,

Governor.

CHAPTER XC.

AN ACT to confer jurisdiction concurrent with the justices of the peace in this State in criminal cases under the small offense law, upon the Recorder of the incorporated town of Lynchburg, Moore county, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Recorder of the town of Lynchburg, Moore county, is hereby clothed with the same powers and duties of, and the jurisdiction of said Recorder is made concurrent with that of justices of the peace in this State under the small offense law, and that he may try and fine for misdemeanors under said law, and a conviction and fine by said Recorder, as aforesaid, if good before a justice of the peace in similar cases, shall be a good defense to an indictment or presentment for the same offense; *Provided*, the proceedings are had in conformity with the small offense laws of the State, and the said Recorder shall have power to fine any and all persons arraigned before him for breach of corporate ordinances as usual, but may, if in his opinion the offense is of a graver nature and meriting a fine of more than fifty dollars, or the culprit declines to submit under the small offense law, assess a fine for the breach of the corporation ordinances and bind the offender over to await the action of the grand jury at its next succeeding term.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 16, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 19, 1883.

WM. B. BATE,

Governor.

CHAPTER XCI.

AN ACT to repeal the charter of the town of Elkton, in Giles county, and to abolish the incorporation of said town.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the charter of the town of Elkton, in Giles county, and all amendments thereto, be and the same are hereby repealed, and the corporation of the said town of Elkton and all offices created thereunder are hereby abolished.

Passed March 16, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 20, 1883.

WM. B. BATE,

Governor.

CHAPTER XCII.

A BILL to be entitled An Act to abolish the corporation of the town of Dickson, on the Northwestern Railroad, in Dickson county, Tennessee, incorporated under the general laws of the State by a decree of the Chancery Court of said county at the December Term, 1873.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the corporation of the town of Dickson, on the Northwestern Railroad, in Dickson county, Tennessee, incorporated under the general laws of the State, by a decree of the Chancery Court of said county at its December Term, 1873, be and the same is hereby abolished.

Passed March 16, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 19, 1883.

WM. B. BATE,

Governor.

CHAPTER XCIII.

AN ACT to change the county line between Dickson and Humphreys counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county line between the counties of Dickson and Humphreys be changed by commencing at the northwest corner of A. Vetter's farm running north crossing the Northwestern railroad to the county line on top of the Tennessee Ridge, so as to include W. Beckman and the tenants of W. A. Moody in Dickson county.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage the public welfare requiring it.

Passed March 16, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 19, 1883.

WM. B. BATE,

Governor.

CHAPTER XCIV.

A BILL to be entitled an Act to allow County Courts to elect cotton and tobacco weighers.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the County Courts of any county in the State (a majority of its members favoring the same), may, on the first Monday of July of every year, elect cotton and tobacco weighers for such county, whose duty it shall be to weigh all cotton and tobacco that parties may agree to have weighed by him.

Time of election.

SEC. 2. *Be it further enacted*, That said election shall be by ballot, and the party getting the highest number (provided it be a majority of the votes cast), shall be declared elected. Manner of election.

SEC. 3. *Be it further enacted*, That before entering upon the duties of his office, said cotton and tobacco weigher shall provide himself with balances or scales duly tested according to the laws of Tennessee, and shall take an oath faithfully and impartially to discharge the duties of said office, and shall give bond in such penalty as the court may prescribe, conditioned as set forth in said affidavit, and said officer shall hold his office twelve months or until his successor is elected and qualified. Equipments and qualifications.

SEC. 4. *Be it further enacted*, That it shall be the duty of said cotton and tobacco weighers to give and declare exact and just weights regardless of the condition of the cotton and tobacco. Exact weights.

SEC. 5. *Be it further enacted*, That any cotton weigher elected according to the provisions of this Act, who shall give or declare any unjust weights, or who shall wilfully violate the previous sections of this Act shall be guilty of a felony, and upon conviction of the same, shall be confined in the State penitentiary not less than one nor more than three years. Violation a penalty.

SEC. 6. *Be it further enacted*, That the court may prescribe the compensation for said cotton and tobacco weigher, which shall not be over ten cents a bale, and twenty-five cents a hogshead, to be paid by the party selling the cotton and tobacco. Compensation.

Passed March 16, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 19, 1883.

WM. B. BATE,
Governor.

CHAPTER XCV.

AN ACT to amend an Act entitled An Act to incorporate the Franklin and Carter's Creek Turnpike Company, passed January 17, 1850.

WHEREAS, The charter of the Franklin and Carter's Creek Turnpike Company fails to conform to the general law regulating the formation of turnpike companies in this State, passed January 17, 1850, by requiring said company to grade their road within five degrees of the level, which character of grading is impracticable in the hilly and broken country through which said road passes; and

WHEREAS, Said road has been built and operated for many years under a misapprehension as to the requirement of the charter in this regard, and

WHEREAS, The same was accepted by the commissioners appointed under the then existing laws, and there has been no wilful violation of the law on the part of said company; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section 6 of the Act of the Legislature, passed January 17, 1850, entitled An Act to incorporate the Franklin and Carter's Creek turnpike company, and for other purposes, be amended by striking out the words, "five degrees of a level," where they occur in said section.

SEC. 2. *Be it further enacted*, That no penalty shall accrue or be enforced against said road on account of the failure to comply with the charter in the manner set out in the first section of this Act, but said road is hereby authorized to continue its business as it has heretofore done: *Provided* it has complied, and continues to comply with the charter in all respects and particulars; *And provided further*, that said Company shall not hereafter charge or collect toll from persons going to or from mills, carrying grain to be ground for home use, or returning with the proceeds of grain so ground for home use; *And provided further*, that said Company shall not hereafter charge or collect toll from persons going to or from elections, or to or from religious services: *And provided further*, that after the expiration of five years from the passage of this Act the provisions in the charter requiring said road to be graded to within five degrees of the

Act amended.

No penalty for former violation.

Free passes.

Duration of this law.

level shall be revived and continued in full force and effect.

Passed March 16, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 19, 1883.

WM. B. BATE,
Governor.

CHAPTER XCVI.

AN ACT to authorize the town of Newport Depot to elect a town constable.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the qualified voters of the town of Newport Depot, in the Sixth Civil District of the county of Cocke, in the State of Tennessee, shall be entitled to elect one town constable on the first Saturday in May, 1883, and thereafter at the regular election of county officers every two years, who shall have the same power and authority of constables of this State.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 16, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 19, 1883.

WM. B. BATE,
Governor.

CHAPTER XCVII.

AN ACT to change the line between the counties Dyer and Lake.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the lines between the counties of Dyer and Lake be so changed as to include in Lake county all the territory within two miles south of the present line.

Passed March 16, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 19, 1883.

WM. B. BATE,

Governor.

CHAPTER XCVIII.

AN ACT entitled An Act to change the time of holding the Circuit Court of Obion and Weakley counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, "That the time of holding the Circuit Court of Obion county, Tennessee, at Troy," shall be so changed that said court shall be convened on the first Mondays of March and second Mondays of July and November, and the time of holding said court in Weakley county, Tennessee, be so changed as to begin on the second Mondays of February and third Mondays of June and October, and that all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 26, 1883.

WM. B. BATE,

Governor.

CHAPTER XCIX.

AN ACT entitled An Act to change the county line between Smith and Putnam counties, so as to include the lands of J. M. Ballard, in Smith county, and the lands of Purlina Evans, in Putnam county, and to make effectual an Act passed on the 26th of February, 1869, chapter 43, attaching the lands of J. C. Fletcher, to Smith county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That that part of the lands of J. M. Ballard which lies within the limits of Putnam county, adjoining the lands of T. D. Sexton, J. C. Fletcher, and C. F. Burton, containing about 20 acres of unimproved land, be detached from Putnam and attached to the county of Smith. Smith gains.

SEC. 2. *Be it further enacted*, That said change of the county line by the 1 section of this Act, shall not inviolate, but shall make effectual an Act passed on the 27th of February, 1869, chapter 43, attaching the lands of J. C. Fletcher to the county of Smith.

SEC. 3. *Be it further enacted*, That the line be further changed so as to include the land of Purlina Evans, in Putnam county, running with the line between her land and the lands of Stephen Petty and Mary Ballard. Putnam gains.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 19, 1883.

WM. B. BATE,

Governor.

CHAPTER C.

AN ACT to change the line between Scott and Campbell counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county line be so changed between the county of Campbell and the county of Scott, as to include the following petitioners and their lands in Scott county, viz: John Lay, John Lawdermilk, beginning in the Scott and Campbell county line the east corner of Hiram Trammell's land, on the top of the mountain thas divides the water of Capuchine and Trammell's Creek; thence a direct line crossing Trammell's creek to the east corner of John Lay's land on top of Brushey Mountain; thence with the top of said mountain so as to included all of the lands of John Lay; thence with the top of said mountain so as to include all of the lands of John Lawdermilk; thence with the top of said mountain to the Campbell and Scott county line, so as to attach the above boundary of lands to Scott county and detach the same from the county of Campbell.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage.

Passed March 17, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 28, 1883.

WM. B. BATE,

Governor.

CHAPTER CI.

AN ACT to declare New River a navigable stream for all floating purposes to use of the public.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That whereas the Big South Fork of the Cumberland river is now declared by the Acts of 1869, to be a navigable stream, and whereas said river

changes its name above the mouth of Clear Fork and takes the name of New River; therefore

Be it enacted, That New River be declared a navigable stream for all purposes, and to the use of the public, and that all mills and other obstructions therein, may, by an order of the county court be cleared, by said court paying out of the funds of said county, such damage as they deem reasonable therefor, if the county court and persons owning mills so desire.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 20, 1883.

WM. B. BATE,

Governor.

CHAPTER CII.

AN ACT to change the line between the counties of Blount and Monroe.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between the counties of Blount and Monroe be and the same is hereby changed so as to include all the lands of M. P. Ray, R. E. McClain and C. S. McGhee in Monroe county.

SEC. 2, *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 20, 1883.

WM. B. BATE,

Governor.

CHAPTER CIII.

AN ACT to change the county lines between the counties of Knox and Union.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county line between the counties of Knox and Union be so changed that the tract of land now owned by Joseph McHaffee shall all be included in Union county.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 20, 1883.

WM. B. BATE,

Governor.

CHAPTER CIV.

AN ACT to provide for the redemption of the notes of the Bank of Tennessee, and to protect the State therein.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That after the Chancery Court at Nashville shall have divided the assets belonging to the Bank of Tennessee *pro rata* among the holders of the notes of the Bank, who shall file their notes before distribution, taking from said note holders an amount of said Bank notes equal their *pro rata*, and the Clerk and Master shall have returned said notes so taken up into the treasury the State to be cancelled; the Governor, Treasurer and Comptroller to be and they are hereby directed to prepare certificates of indebtedness

Assets pro-
rated among
note holders.

Certificates of
indebtedness.

to the amount in all of \$1,000,000, and in denominations of \$1, \$5 and \$20, as may be found most convenient for the purpose herein expressed. They shall be engraved and printed or lithographed on suitable paper with appropriate device, be signed by the Governor, Comptroller and Treasurer, and payable to the person to whom issued or bearer, and shall bear date the day of their issuance, and shall be payable one-fifth each year for a period of five years, and they shall show upon their face that they were issued under this Act in substitution of the notes of the Bank of Tennessee, and that they are receivable for taxes and other dues to the State as by this Act provided. They shall be numbered and shall not bear interest.

SEC. 2. *Be it further enacted*, That whenever any Bank notes purporting to be the notes of the Bank of Tennessee shall be presented to the Governor, Comptroller and Treasurer, it shall be their duty to examine the same, and, if they are found to be genuine legal notes, they shall be received and cancelled and preserved by the Governor, Comptroller and Treasurer for such examinations as the General Assembly shall hereafter direct, and they shall issue and deliver to the person, so delivering up and surrendering the same, certificates of indebtedness to the amount of the notes surrendered for cancellation: *Provided, however, always*, that fractional currency, notes of a less denomination than \$5 and the \$500 and \$1,000 notes, known as post notes, shall not be exchangeable under this Act. They shall not be received, neither shall any certificates of indebtedness be issued therefor.

SEC. 3. *Be it further enacted*, That said certificates of indebtedness shall be receivable at any time, before or after due, in payment of all final judgments now outstanding and subsisting against defaulting or delinquent revenue collectors or their securities, and decrees in favor of the State, and in payment of all back taxes which became payable before the year A. D. 1882; and also in payment of all the taxes and all other dues to the State from any tax payer, when such warrants or certificates may be due.

SEC. 4. *Be it further enacted*, That no notes, bills, post notes or fraudulent currency of the Bank of Tennessee, shall be receivable for taxes or any other dues to the State.

SEC. 5. *Be it further enacted*, That proper books shall be kept by the Governor, Comptroller and Treasurer,

which shall be kept by them as to show the amount of the notes received by them with a description of each, the person from whom, and when they were received, and the number and amounts of the certificates issued therefor; and these books shall always be open to the inspection of the General Assembly.

Illegal or counterfeit notes registered.

SEC. 6. *Be it further enacted*, That all notes presented to the Governor, Comptroller and Treasurer for certificates under this Act, which upon examination by them shall be found to be illegal or counterfeit, shall be excluded or marked counterfeit by them, and returned to the owner, after a description thereof and name of the party presenting the same shall have first been entered in the book to be kept by them for that purpose, with the endorsement written or printed thereon "examined and disapproved," which endorsement shall be signed by the board.

Fees of Comptroller and Treasurer.

SEC. 7. *Be it further enacted*, That the Treasurer and Comptroller shall receive fifty cents per thousand dollars, to be divided equally between them, for each and every thousand dollars of the genuine notes of the Bank of Tennessee received by them and cancelled, as compensation for the services required of them in this Act, to be paid out of the Treasury upon the warrant of the Comptroller, based on the certificate of the Governor directing the Comptroller to draw the warrant on the Treasurer therefor. They shall have power to employ a sufficient number of experts or persons capable of distinguishing the genuine from the spurious notes, who shall each receive not more than five dollars per day as compensation for each and every day employed, to be paid on the warrant of the Comptroller according to the usual course.

Experts.

Officers prohibited from trading.

SEC. 8. *Be it further enacted*, That it shall not be lawful for any Trustee, Constable or Tax Collector, or Back-tax Collector, as agent for others or on his own account, to deal in, sell or furnish the certificates authorized to be issued under this Act, to others, to be used in the payment of taxes and other dues to the State.

Collectors' settlements - affidavit.

SEC. 9. *Be it further enacted*, That all Revenue Collectors shall, on making settlement of the moneys collected by them, make an affidavit and file the same with the Comptroller or other officer with whom the settlement is made, showing that the money collected under the provisions of this bill was actually received by them in payment of taxes or other dues to the State, county or municipality.

SEC. 10. *Be it further enacted*, That nothing in this Act shall be so construed as to make the Torbett issue or the warrants receivable in county or municipal taxes.

SEC. 11. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring the same.

Passed March 29, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 29, 1883.

WM. B. BATE,
Governor.

CHAPTER CV.

AN ACT to provide more Just and Equitable Laws for the Assessment and Collection of Revenue for State, County and Municipal Purposes; and to Repeal all Laws now in force whereby Revenue is Collected from the Assessment of Real Estate, Personal Property, Privileges and Polls.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all property, real, personal and mixed, shall be assessed for taxation for State, county and municipal purposes, except such as is declared exempt in the next section. Property exempt.

SEC. 2. *Be it further enacted*, That the property herein enumerated shall be exempt from taxation, and none other :

1. All property belonging to the United States, to the State of Tennessee, to any county in the State or any incorporated city or town in the State, that is used exclusively for public or corporation purposes.

2. All property belonging to any religious, charitable, scientific, literary or educational institution, and actually used for the purpose for which such institution was created.

3. All property belonging to public schools, colleges, academies and other seminaries of learning, and all real

estate worth not more than ten thousand dollars, owned by agricultural and mechanical associations, and used by them for such purposes.

4. All cemeteries, places of burial used as such, and monuments of the dead.

5. All roads, streets, alleys and promenades, where condemned, dedicated or thrown open for public travel or use free of charge.

6. All growing crops of whatever nature or kind, the direct product of the soil in the hands of the producer or his immediate vendee, and manufactured articles from the products of this State in the hands of the manufacturer.

7. Personal property to the value of one thousand dollars.

SEC. 3. *Be it further enacted*, That in order to provide revenue for State and county purposes, property, privileges and polls shall be assessed annually as hereinafter provided.

SEC. 4. *Be it further enacted*, That the basis of all assessments shall be as follows, to-wit:

Assessments. 1. To assess the property to the person or persons owning or claiming to own the same, on the 10th day of January of the year for which the assessment is made, if known; if not, to the unknown owners.

2. To assess real estate at its cash value.

3. To assess personal and mixed property at its cash value.

4. To assess the property in the district or ward in which it lies, or is known to be at the time of assessment; but all stock in banks, banking associations or other corporations, or joint stock companies, shall be assessed in the place, town, ward or district in which such banks, banking associations or other corporations are located.

SEC. 5. *Be it further enacted*. That in assessing real estate, the following shall be shown:

1. The description of the property.

2. The name of owner or owners.

3. The value of the land or town lots, including improvements.

4. The value of mills, manufactories, distilleries, breweries, foundries, and other buildings used for similar purposes.

Manner of as-
sessing realty. SEC. 6. *Be it further enacted*, That the said assessors shall assess real estate in the manner following:

They shall prepare a complete list of all taxable real estate in their respective districts or wards, from the

schedules hereinafter required, giving the name of each owner in alphabetical order, and setting out the number of acres of each tract, and the assessed value thereof, giving (if the same can be done) the Surveyor's district, range, township and section, civil district; and if this cannot be done, then such mode of description shall be adopted as will identify the property and its location, by giving the lands by which the tract is bounded; and if the said real estate be in a town, the present number of the lot and the number of front feet, and the depth thereof, and the assessed value thereof.

SEC. 7. *Be it further enacted,* That personal property shall be assessed under the following heads:

1. The actual stock in each bank or banking, insurance Personality. or other stock company or corporation invested in business.
2. Stocks of merchandise, wares, goods and chattels kept on hand or in store, for sale, trade or traffic.
3. Merchandise, wares, goods and chattels, sold at auction or on commission.
4. Notes, due bills, negotiable paper and accounts on solvent persons, or parties believed to be solvent, and all other assets, including cash on hand or on deposit in this State or elsewhere.
5. All bonds, stocks and other like securities, other than such as are exempt from taxation by the laws of the United States or of this State.
6. Stallions, mares, geldings, jacks, jennets, mules, cattle, sheep and hogs.
7. Watches, plate, jewelry, pianos and household and kitchen furniture.
8. Carriages, buggies and all other wheeled vehicles of pleasure or profit.
9. Machinery, engines, presses, looms, steam-boats, ferry-boats and tools and implements of all pursuits and industry for gain or profit.
10. All other personal property.
11. The amount of income derived from United States bonds, and all other stocks and bonds not taxed *ad valorem*.

SEC. 8. *Be it further enacted,* That no tax shall hereafter be assessed upon the capital of any bank or banking association, or of any other joint stock company organized under the authority of this State, or of the United States, but the stockholders in such bank or banking association, or other corporations, shall be assessed and taxed on the value of their shares of stock Bank stock assessed to stockholders only.

therein ; said shares shall be included in the valuation of personal property of such stockholder in the assessment of State, county or municipal taxes, at the place, town, ward or district where such bank or banking association or other corporation is located, and not elsewhere, whether said stockholder resides in said place, town ward or district or not ; but not at a greater rate than is assessed upon other moneyed capital in the hands of individuals in the State ; *provided*, that all banks or banking associations or other corporations shall be liable for taxes on any property owned by them, funds or assets not included in the foregoing provisions of this section ; *and provided further*, that the property and shares of stock in companies organized under the laws of the State of Tennessee, and engaged in manufacturing articles of the produce of this State shall be assessed as one property in the same manner as the property of firms and individuals is assessed.

Property of
banks.

Banker to
make oath as
to capital.

SEC. 9. *Be it further enacted*, That every banker doing business under the laws of this State is hereby required to declare upon oath before the assessor, the amount of capital invested in such banking business, and each one hundred dollars of such capital, for the purpose of this act, and for the purpose of taxation, shall be held and regarded as one individual share in such banking business, and such shares are hereby declared to be personal property. If such banker have partners, he shall declare upon oath before the assessor, the number of shares held by each of them in such banking business, ascertained as above provided, and the shares so held by any partner shall be included in the valuation of his taxable property in the assessment of all taxes levied in the city, town, ward or civil district where such individual banker is located and not elsewhere, and such individual banker shall pay the same and make the amount so paid a charge in his account with such parties ; and if such individual banker have no partners, he shall be held to be the sole owner of all the shares in such business of banking, and the same shall be included in the valuation of his personal property in the assessment of all taxes levied in the city, town, ward or civil district where his bank is located, and not elsewhere.

List of stock-
holders.

SEC. 10. *Be it further enacted*, That there shall be kept at all times in the office where the business of such bank or banking association organized under the authority of this State or the United States shall be transacted, a full and correct list of the names and residences of all

the stockholders therein, and the number of shares held by each, and such list shall be subject to the inspection of the officers authorized to assess taxes during the business hours of each day on which business may be legally transacted.

SEC. 11. *Be it further enacted*, That when the owner of stock in any bank or banking association organized under the law of this State or of the United States, shall not reside in the same place where the bank or banking association is located, the revenue collector for the State, county or corporation shall respectively have the same powers as to collecting the tax so assessed by this act, as they have by statute, when the person assessed has removed from the town, city, ward or district in which the assessment was made; and the revenue collector, receiver of taxes, or other officer authorized to receive said tax for the collector, may all or either of them have an action to collect the tax from the avails of the sale of his shares of stock, shall be and remain a lien thereon until the payment of said tax.

Taxes lien on
avails of stocks

SEC. 12. *Be it further enacted*, That for the purpose of collecting such taxes, and in addition to any other laws of this State not in conflict with the Constitution of the United States, relative to the imposition of taxes, which shall be the duty of every such bank or banking association and the managing officer or officers thereof, to retain so much of any dividend or dividends belonging to such stockholder as shall be necessary to pay any taxes assessed in pursuance of this act, until it shall be made to appear to such officer that such taxes have been paid.

Bank to retain
dividends un-
til taxes are
paid.

SEC. 13. *Be it further enacted*, That the privileges and franchises granted by the Legislature of this State to savings banks or institutions for savings, are hereby declared to be personal property and liable to taxation as such in the town, ward or district where they are located, to an amount not exceeding the gross sum of their surplus earned and in the possession of said banks or institutions, and the officers of such institutions or banks shall be examined on oath by assessors as to the amount of such surplus, and the property of such banks and institutions shall be liable to seizure and sale for the payment of all taxes assessed upon them for said privileges and franchises.

Franchise de-
clared personal
property and
taxable.

SEC. 14. *Be it further enacted*, That this act shall not be so construed, and shall not so operate, as to exonerate or release from taxation any company or corpora-

No stocks ex-
empt.

tion whose charter exempts stock and shares thereof from taxation ; but it is hereby enacted that in all cases where such stock is exempted and such company or corporation shall be assessed in such way as may be lawful.

SEC. 15. *Be it further enacted,* That stocks of merchandise, wares, goods and chattels sold at auction or on commission shall be assessed for taxation, and the following is declared to be the method by which the amount to be returned or assessed shall be determined, viz : Where any person, company or firm shall have sold goods, wares, merchandise or chattels at auction or on commission, whether in the regular business of selling at auction or on commission, or shall have made such sales in connection with any other business, to ascertain the aggregate amount of said auction or commission sales for the period engaged in business, and not exceeding twelve months, and return one-third of said amount of sales for taxation.

Goods, etc.,
sold at auction

Ad valorem
tax on mer-
chants.

SEC. 16. *Be it further enacted,* That merchants shall pay an *ad valorem* tax upon the capital invested in their business equal to that levied on taxable property, and the term merchants as used in this act includes all persons or copartnerships engaged in trading or dealing in any kinds of goods, wares and merchandise, either on land or in any steamboat, wharf-boat or other craft, stationed or plying in the waters of this State, and confectioners ; and whether such goods, wares and merchandise be kept on hand for sale or the same be purchased and delivered for profit as ordered. But nothing in this act contained shall in any wise affect the collection of privilege taxes upon the vocations declared by this act to be privileges.

License before
merchandizing

SEC. 17. *Be it further enacted,* That no merchant shall commence and continue a business in any county of this State without obtaining license from the Clerk of such county, in accordance with the provisions of this act, and every person or individual member of any copartnership so offending shall be subject to prosecution for each day's violation of the law, and on conviction shall be fined not less than one hundred dollars for each offense.

Merchants'
bond.

SEC. 18. *Be it further enacted,* That every merchant applying for license shall, before receiving the same, execute a bond to the State, with good security, to be approved by the Clerk of the County Court, in the sum of one thousand dollars, conditioned that such merchant will render to the Clerk issuing the license at the end of

twelve months from the date of the bond, a true statement under the oath prescribed by this act, of the amount of capital invested in such business during said twelve months, and will pay to the Clerk the tax thereon. For taking the bonds and issuing the license the Clerk shall be entitled to seventy-five cents, to be paid at the time of issuance.

SEC. 19. *Be it further enacted*, That any merchant continuing in business shall renew his license annually and no license shall authorize merchandising out of the county where issued, nor for a longer period than one year.

License issued annually.

SEC. 20. *Be it further enacted*, That at the expiration of twelve months from the date of his bond, or at the expiration of his license, each merchant shall file with the County Court Clerk, by whom the license was issued, a statement under oath, showing:

Statement of merchant.

1. All capital invested in his stock of goods, wares and merchandise not otherwise reported as hereafter required, to be estimated at not less than the cash value of the largest amount of such goods, wares and merchandise on hand at any one time during the preceding twelve months.

2. All capital employed during the preceding twelve months in any manner of trading in which there is no stock of goods, wares and merchandise kept on hand for sale, and the aggregate capital so reported shall be deemed the taxable capital of such merchant, upon which he shall pay to the Clerk the same tax as levied upon real estate and other taxable property for State and county purposes; and the report herein required shall be sworn to by that member of any copartnership or mercantile firm who is most thoroughly acquainted with such business. The word "capital" as used in the foregoing sections shall be construed so as to mean the largest amount of stock on hand at any one time in the year where it is offered for sale. *Provided*, that if the report herein required to be made under oath to the Clerk of the County Court be objected to by the said Clerk or by the District Attorney of the judicial district, it shall be the duty of the said Clerk, under the direction of the said District Attorney, to issue citation to the person or firm making such report, commanding such person or firm to appear before said Clerk within five days from the date of the issuance of citation to show cause why such report shall not be revised and corrected, and the said Clerk shall be empowered to issue subpoenas

Clerk to audit
report.

for witnesses to appear before him and testify under oath to be administered by said Clerk or his lawful deputy touching the correctness or incorrectness of such report: *And provided further*, that it shall be the duty of said Clerk, after a full investigation, to correct and audit said report.

Clerk reports
bonds due to
Attorney-Gen-
eral.

SEC. 21. *Be it further enacted*, That the County Court Clerks of this State be and they are hereby required to turn over to the Attorney General of the respective districts, all privilege license bonds due before the first day of January thereafter, within thirty days after such bond becomes due and payable, taking duplicate receipts for the same, specifying the amount due thereon as nearly as can be ascertained, one of which receipts shall be forwarded to the Comptroller of the State, and the other spread on record in the County Court, whereupon the Attorney General aforesaid shall forthwith give five day's notice to the principal and security on such bond to appear before the Chairman or Judge of the County Court, in which said bond is due, and show cause, if any they have, why judgment should not be rendered against them for the amount of revenue due on such bond, which judgment shall in no case be less than the amount of the specific or privilege tax fixed by law and by the County Court, with six per cent interest and twelve per cent damages, and the costs added thereto from the time the bond was payable and due, and jurisdiction is hereby conferred on the County Courts of this State to try and determine such cases, to render judgment, issue execution and do all things necessary to enforce the collection of this revenue, and necessary to the enforcement of this act, and the notice so given may be made returnable to any Monday of said County Court, to the Judge or Chairman thereof: *Provided*, five days' notice is given, when the said Chairman shall try the matter, and upon the failure of the principal or security to appear, the Attorney General shall move for judgment, and the Chairman or Judge shall render and have entered a judgment for the amount of said bond as aforesaid, with costs. The Attorney General shall be allowed a fee of five dollars and ten per cent of the amount collected, and the Clerk the usual fees for such service as in the Circuit Courts of this State; the State and county in no event to be taxed with any costs in these proceedings, but the same to be taxed against delinquents.

Notice to prin-
cipal and secu-
rity.

Judgment and
penalties.

Proviso.

SEC. 22. *Be it further enacted,* That the Clerks of the County Courts of the several counties of this State shall collect all taxes on merchants and privileges as now provided by law, and shall be subject to all the pains and penalties for failure to pay such taxes over to the Comptroller that are provided for in this act in the case of tax collectors: *Provided,* that in counties where a privilege tax collector is provided by law, such privilege tax collector shall collect the same.

Clerks to collect as formerly.

SEC. 23. *Be it further enacted,* That the value of all notes, due bills, negotiable paper, accounts and judgments on solvent parties, or parties believed to be solvent, and all other assets, including cash on hand or on deposit in solvent banks, or in the hands of solvent parties, belonging to any person, company or firm, shall be assessed for taxation, from which, however, shall be deducted all *bona fide* debts incurred in conducting the regular business of such person, firm, etc., and pertaining to the same business out of which arose the notes, due bills, etc., from which such debts are to be deducted.

Notes, due bills, etc., assessed.

SEC. 24. *Be it further enacted,* That all the property described in article 5, 6, 7, 8, 9, 10 and 11 of section 7 of this act shall be assessed for taxation according to its value: *Provided,* that in assessing steamboats and ferry-boats navigating streams within or bordering on this State, the same shall only be assessed to the extent of the interests therein of any person, company or firm residing or doing business in this State.

Assessments at actual value

Steamboats.

SEC. 25. *Be it further enacted,* That should it at any time after the assessments have been made, come to the knowledge of the Chairman or Judge of the County Court, the Clerk of the County Court, the County Trustee, Sheriff or Tax Collector of any county in this State, that any person, company, firm or corporation in said county have not been assessed as contemplated by the provisions of this act, or have been assessed on an inadequate amount, it shall be the duty of said Chairman or Judge, Clerk, Trustee, Sheriff or Tax Collector to cite said person, company, firm or corporation, their agent, attorney or representative, to appear before them for the purpose of being assessed according to law; and said Chairman or Judge, Clerk and Trustee or Tax Collector are hereby authorized and empowered to make the proper assessment against such person, company, firm or corporation; and should it appear that said person, company, firm or corporation did, in any manner, connive at or purposely evade said assessment, or did knowingly per-

Property overlooked and erroneous assessment.

Penalty for evasion.

mit an inadequate assessment to be made, said Chairman or Judge, Clerk and Trustee or Tax Collector shall correct said assessment, and shall add fifty per cent to the amount of said assessment, and cause the same to be entered upon the tax books for collection.

SEC. 26. *Be it further enacted,* That the assessed taxes on all real estate, and all penalties and costs accruing thereon, shall be and remain a lien upon such real estate from the 10th day of January of each and every year.

SEC. 27. *Be it further enacted,* That the County Court of each county in the State shall at its January term every year, elect an assessor for each civil district, except in cities of over two thousand inhabitants, and in such cities there shall be an assessor for each ward. If this court should fail to elect such assessor at its January term, the Chairman or Judge shall call a special term for the first Monday in February following, to elect such assessor; *provided* that this act shall not interfere with assessments made for the year 1883.

SEC. 28. *Be it further enacted,* That each assessor so appointed shall be a resident of the civil district or ward in which he is appointed.

SEC. 29. *Be it further enacted,* That the Chairman or Judge of the County Court may, in vacation, appoint an assessor for any district or ward in which the County Court has omitted to appoint, or where the appointee, by reason of sickness or other sufficient excuse, is unable or refuses to perform his duty.

SEC. 30. *Be it further enacted,* That each assessor on being notified of his appointment, shall proceed to assess the property in his district or ward liable to taxation, according to the requirements of this act, and to this end shall commence at some corner or outside point of his district or ward, and assess the property in rotation as it joins, or lies contiguous to property just assessed or about to be assessed, and shall proceed in some regular manner until he shall have made the circuit of his district or ward. Said assessor shall see each lot, tract or parcel of land, or otherwise obtain satisfactory information in regard thereto, and shall enter each assessment in suitable books to be furnished by the Clerk of the County Court.

SEC. 31. *Be it further enacted,* That the assessors shall furnish to every person, company, firm or corporation required to list his property for taxation in proper blanks for that purpose, and it is hereby made the duty

of the Comptroller of the Treasury to furnish the Clerks of the County Courts printed blanks to be distributed by the Clerks to the several assessors for districts and wards; that the blanks furnished by the Comptroller shall contain the following questions: ^{Assessment blanks.}

1. How many acres of land do you own? In what civil district, range, or surveyor's district is it located, and by whose land is it bounded on the east, south, west and north?

2. How many town lots do you own? What is their number, and in what town located? What is the number of front feet and depth of the lot?

3. What is the cash value of each tract of land, and each town lot?

4. What is the value of your personal property, and in what does it consist, and where situated?

5. Are you engaged in any banking business, or the officer of any incorporated bank or other corporation, if so, state the number of shares held by each of them in said business, and the value of said shares?

And shall make oath to the correctness of the items thereof, which oath shall be administered by the assessor, ^{Oath of taxpayer.} or some Justice of the Peace, and entered thereon beneath said list, and signed by the party listing: *Provided*, no taxpayer shall be required, in estimating his personal property, to include notes which are the purchase money for land sold by him and still assessed to him.

SEC. 32. *Be it further enacted*, The assessor shall enter the return on his assessment book unless he has good and sufficient cause to doubt the correctness of said return, in which case he shall thoroughly investigate the matter, and make such an assessment as the facts warrant, and shall return, with his tax-book, to the County Court said lists, which shall be filed by the Clerk of said court, in his office, and carefully preserved for the inspection of the County Court. ^{Assessment books.}

SEC. 33. *Be it further enacted*, That persons acting as executors, administrators, guardians, agents or attorneys, clerks of any court, or in any fiduciary capacity whatever, shall make a return of the property, moneys, credits and effects held by them in either of said capacities, separate from their individual returns, and the same shall be listed separately for taxation, as provided in the preceding section. ^{Executors, guardians, attorneys, etc.}

SEC. 34. *Be it further enacted*, That in all cases where any person, company, firm or corporation shall fail, neglect or refuse to return to the assessor the sched- ^{When parties fail to make return.}

ule of property for taxation, the assessor shall make such an assessment in each case from the best information he can obtain, and such assessment shall be conclusive as to the value of the property and as to the owner of the property.

Time of assessment. SEC. 35. *Be it further enacted,* That the assessors shall complete their assessments on or before the first Monday of June, 1883, and annually thereafter on the fourth Monday of March, and on that day shall meet at the courthouse of their respective counties, and shall organize as boards of equalization.

Bond of equalization. SEC. 36. *Be it further enacted,* That said board of equalization, when organized as aforesaid, shall make such examination, comparisons, corrections and alterations as may be necessary to produce as nearly as possible a fair and just equalization of the several assessments of property in said county.

Grievances or errors. SEC. 37. *Be it further enacted,* That if any person shall conceive himself aggrieved by any assessments, he shall present the matter to said board by petition or otherwise, and if it appear to the satisfaction of a majority of said board that the assessment complained of is erroneous or improper when taken in connection with other assessments in any ward or district, the proper correction shall be made, and after said board of equalization has been discharged the County Court shall have power to make any correction of errors in assessments.

SEC. 38. *Be it further enacted,* That after said board shall have completed its labors, each assessor shall sign his book of assessments and attach to it an affidavit substantially the following form :

Affidavit of assessor. I, A—— B——, do solemnly swear that I have set down in the foregoing assessment all the property, real estate or personal, in my district or ward, liable to taxation, to the true owner thereof, to the best of my belief, and that I have estimated the value thereof according to the basis prescribed by law, to the best of my knowledge and ability, without fear, favor or affection, and that I have faithfully discharged my duty as assessor, according to law, to the best of my knowledge and belief, so help me God. A—— B——.

Final return of assessors. SEC. 39. *Be it further enacted,* That said assessors shall make return of their several assessments to the Clerk of the County Court on or before the fifteenth day of June, 1883, and thereafter on the first Monday in April next following the appointment, and then their duties shall cease and determine.

SEC. 40. *Be it further enacted,* That should any of said assessors fail to make returns of his assessments as above required, unless such failure shall have been caused by sickness or some unavoidable circumstance, he shall be liable to a fine of not less than fifty nor more than five hundred dollars, and the County Court may enter judgment for said penalty at its July or any subsequent term against said delinquent, and collect the same on execution. Penalty for failure of assessor.

SEC. 41. *Be it further enacted,* That should the County Court, from any cause, be deprived of the assessments of any district or ward, a special assessment may be ordered for said district or ward. Special assessments.

SEC. 42. *Be it further enacted,* That the Clerk of the County Court shall make out and deliver to the Trustee the tax book on or before the first Monday of October, each and every year, from the assessment books in his possession, including the year 1883. Said tax books shall be made out by districts, and shall be ruled in suitable and appropriate columns, and shall show the names of owners in alphabetical order, the number of the block, number of acres, description of the property, the value of each lot, tract or parcel of land, the valuation of personal property, under the appropriate heads or items called for by this act, and the total valuation of real and personal property against each taxpayer. On this valuation the State, county and special taxes shall be extended in appropriate columns, separately, according to and at the rates levied by the proper authorities, and a column added showing the total of all taxes levied and to be collected from each taxpayer in said district. Tax books.

SEC. 43. *Be it further enacted,* That the Clerk of the County Court shall make out from said tax books an aggregate statement showing the value of all town lots, the number of acres, and value of all tracts of land, and the value of all personal property. This statement shall be made and the facts shown by civil districts and wards, and aggregated for the whole county for the items named. Said Clerk shall specify in said statement which of said districts are suburban or country districts. This statement shall be forwarded to the Comptroller of the Treasury on or before the third Monday in October, with a statement showing the total amount of State tax chargeable upon said tax books, and to be collected. Tax aggregate for Comptroller.

SEC. 44. *Be it further enacted,* That should any Clerk of the County Court fail to comply with the requirements of the three preceding sections when within his Clerk's forfeiture for neglect

power to do so, he shall forfeit all claims for compensation for labor and services for making out and preparing said tax books.

Compensation
of clerks and
assessors.

SEC. 45. *Be it further enacted*, That the assessors and clerks of courts shall receive ten cents per one hundred words, four figures to be counted a word; *provided*, however, that the pay of assessors shall not exceed fifteen cents for each person having taxable property listed, and five cents for each person listed for a poll tax only. While sitting as a Board of Equalization the assessors shall receive the same compensation and *per diem* as is now allowed jurors in this State.

Privileges.

SEC. 46. *Be it further enacted*, That the occupations and business transactions that shall be deemed privileges and be taxed, and not pursued or done without license, are the following, viz.: Merchants, commission (wholesale and retail), auctioneers, cigar stands, plumbers and gas fitters, artists and architects, photographers, brewers, banks or banking, brokers of all kinds, butchers, bagatelle tables, billiard tables, Jenny Lind and pool tables, circuses, menageries, flying jennies, exhibitions for profit, sleight of hand and legerdemain, hacks, carriages, drays and wheeled vehicles run for profit, except farm wagons; hucksters and sample sellers, claim agents, lumber dealers, stock yards and sale stables, fruit stands, shooting galleries, hotels or taverns, restaurants or public eating houses and boarding-houses keeping transient customers for pay; express companies, express wagons and carts, transfer wagons, intelligence offices and keepers, each; the business of insurance, insurance agents; livery stables, sales stables, omnibuses; peddlers of patent rights, peddlers of patent medicines and peddlers in lightning rods and nostrums, peddlers of merchandise; pawnbrokers; liquor dealers, whether liquors be spiritous, vinous or malt, (wholesale or retail); skating rinks, steam ferries, sewing machines, selling by sample; dealing in securities, shaving notes; theatres, telegraphs, ten pin alleys, variety establishments, commission brokers, dealers in stocks and bonds (other than brokers), dealers in county certificates or warrants, sleeping car companies, cotton compress companies, water-works companies, telephone companies, gas companies and electric companies, hotels kept as summer resorts, and dealers in futures; all parks kept for pay, and railroad tickets. *Provided*, the term "dealers in futures" shall not include purchases made for actual delivery and the deliveries are made according to contract.

SEC. 47. *Be it further enacted,* That it shall be the duty of the assessors to assess all taxable polls in their districts or wards, and to make return of the same to the Clerk of the County Court at the time they make return of the assessment; also to make a return to said Clerk of the name of each person, company, firm or corporation, or agent of any person, company, firm or corporation, engaged in any business liable in any way to pay a privilege tax in his district, or ward, under the provisions of this act. Polls.

SEC. 48. *Be it further enacted,* That every male inhabitant between the ages of twenty-one and fifty years, except persons who are deaf, dumb, blind, incapable of labor and of earning a livelihood, shall pay a poll tax for school purposes. ■ Poll tax for schools.

SEC. 49. *Be it further enacted,* That the rate of taxation on every taxable poll shall be one dollar. Said poll tax shall be collected annually by the Trustee of the county, and shall be appropriated for common school purposes, in the manner prescribed by law. Poll tax \$1. how collected.

SEC. 50. *Be it further enacted,* That the Clerk of the County Court shall collect all tax on privileges and merchants, and that the County Trustee shall continue to act as the collector of taxes in accordance with the provisions of sections one and two of an act passed on the 24th day of March, 1875, entitled, "An act more cheaply to collect the State, county and municipal revenues;" *provided,* however, this section shall not apply to municipal corporations that under existing laws are authorized to collect their own taxes on property, privileges and polls. Collection of taxes.

SEC. 51. *Be it further enacted,* That the Trustee on receiving the tax books for the year 1883 and each subsequent year, shall give public notice by advertisement at four of the most public places in each civil district in said county that the tax books are completed and in his hands, and that he will attend and receive all public taxes at one or more places of each civil district, such places and the times to be designated in the advertisement. Advertisement by trustee.

SEC. 52. *Be it further enacted,* That every tax payer shall pay his State, county, railroad, municipal, highway and school, and all his other property and poll taxes, to said County Trustee, and said taxes shall be due and payable on the first Monday in October of each year, including the year 1883. All taxes due first Monday in October-

SEC. 53. *Be it further enacted,* That said County

Tax receipt.

Duplicate receipts.

Statement of unpaid taxes, non-residents, etc.

Levy for unpaid taxes.

Trustee shall give to each tax payer a receipt for all the taxes by him paid, and shall at the same time note on his tax book the amount so paid, and when paid, and in what sort of funds paid, and the same shall also be noted on the receipt given to the taxpayers, and the County Court, for each county in this State, shall furnish the County Trustee or other tax collector of said county with a sufficient number of tax receipts printed in duplicate and blank form in a book or books, and duplicate receipts shall be preserved in the book to be submitted to the County Court by the tax collector whenever required to do so, and said receipt book of duplicates when filled shall be filed in the office of the County Court Clerk for reference, and shall be receipted for by the Clerk, and carefully preserved in his office as a record for the protection of taxpayers who have payed their taxes and lost or misplaced their receipts.

SEC. 54. *Be it further enacted,* That it shall be the duty of the County Trustee on the first Monday of February next, following the receipt of said tax book, to make out and deliver to the Constable of each ward and civil district in his county, or in case of non-residence or local insolvency of any taxpayer, then to the sheriff of such non-resident's or insolvent's county a certified statement of the unpaid taxes due from such ward or civil district or from such non-resident or insolvent as the case may be, copying said statement from his tax book so as to give in alphabetical order the name of each delinquent tax payer, and the amount of taxes due from him, and said certified statement shall have all the force and effect of an execution from a court of record duly based on a valid judgment, and shall be authority for the officer to whom issued to collect the unpaid taxes therein specified, and to levy upon and distrain personal property anywhere in his county, sufficient to pay the taxes and all costs and commissions; and when said property has been so levied upon or distrained by said Constable or Sheriff by virtue of said certified statement, he may advertise and sell the same at the county seat, or in the district where found, as he may elect; and when the County Trustee has reason to believe that any portion of the taxes may be lost by reason of the removal or insolvency of any taxpayer owing the same, then shall the County Trustee at once issue a certified statement as to such taxpayer to the proper officer.

SEC. 55. *Be it further enacted,* That if there be no Constable in any ward or civil district, or if the Con-

stable of any ward or any civil district fail to file with the Trustee the bond hereinafter specified, on or before the tenth day after said certified statement shall be tendered him, then, and in that event, the certified statement for such ward or civil district shall be addressed to, and put in the hands of, the Sheriff of the county, who is hereby vested with the same powers, in person or by regular or special deputy, to enforce said certified statement, and collect the tax therein specified as are by this act conferred on the Constables, and the Sheriff shall be liable on his official bond for all revenue by him collected, or that should have been by him collected under this act, and said Sheriff shall be required to collect and account for the taxes in all certified statements, addressed and delivered to him at the same time and in the same manner, and to the same officers as Constables are required by this act, and when there are more than one Constable in any ward or civil district, then shall said Trustee elect to which Constable said certified statement shall be delivered.

Sheriff's duties

SEC. 56. *Be it further enacted*, That before said statement shall be delivered to any Constable, such Constable shall deliver to the County Trustee his bond for double the amount of unpaid taxes in his civil district, payable to the State of Tennessee, and conditioned to be void if such Constable duly collect and pay over to said Trustee said amount of unpaid taxes, on or before the 10th day of April then next ensuing, the balance due from him; said bond being signed by good securities, to be approved by said Trustee, and said sureties shall acknowledge said bond before the Clerk of the County Court in the same manner that deeds are acknowledged; and said Clerk shall make to said bond the same certificate of acknowledgment as is made to deeds, the said Clerk's fee to be paid by such Constable.

Constable's bond.

SEC. 57. *Be it further enacted*, That said constable and sheriffs shall collect and pay over the tax specified in the said certified statement, on or before the tenth day of April next ensuing their receipt of said statement and in case of their failure to do so, shall be liable to motion on their said bond and such motion shall be made at the first term of the Circuit Court next following said last day; *provided, however*, that said constables and sheriffs shall be entitled to the same credits for removals, insolvencies and other matters that revenue collectors are now entitled to except compensation, and shall also be entitled to credit for all taxes in said statement paid to the trustee previous to the delivery of said constable or sheriff.

Time for collection of unpaid taxes.

Errors in list
to constable or
sheriff.

SEC. 58. *Be it further enacted,* That if the unpaid tax list given to the sheriff or to any constable contains any taxes previously paid to the trustees and by him received for, then it shall be the duty of the sheriff or constable as the case may be to lift said tax receipt and give his own receipt in lieu; and on settlement with the County Trustee said sheriff or constable shall be entitled to credit for the amount of such receipt, and the county trustee shall be held liable to said sheriff or constable for his commission on said amount and for the further sum of fifty cents for each receipt so lifted; said commission and further sum to be deducted from the said trustee's compensations herein allowed.

Compensation
of trustee.

SEC. 59. *Be it further enacted,* That the compensation of County Trustees for receiving and paying over to the rightful authorities all moneys received by him shall be six per centum on all sums up to ten thousand dollars, and four per centum on all sums above ten thousand and up to twenty thousand dollars, and a commission of two per centum on all other sums; *provided*, that in computing the compensation of the trustee, all funds, State and county, shall be taken together and estimated as one, and each shall pay their respective portion of the above commission on all sums of money received by said trustee for said State and county and corporation and all corporations where the taxes are collected by the county Trustee; *provided further*, that the school fund shall not be included; *provided further*, that at the time of settlement with the Comptroller of the Treasury and County Trustee, and the computation of commission on collections, that said Trustee shall furnish the Comptroller with a certified statement from the Judge or Chairman of his County Court, showing the amount actually collected by him and paid into the County Treasury; *provided further*, that the Trustee shall not be entitled to any commission on sums turned over to him by his predecessor in office on a compensation of one per cent on all sums paid to him by Clerks, Justices and other collecting officers, and in no case is his compensation to exceed five thousand dollars (\$5,000).

School fund.

Compensation
of constable or
sheriff.

SEC. 60. *Be it further enacted,* That as compensation for his services each Constable and Sheriff shall be entitled to a fee of fifty cents when levy is made, or twenty-five cents when no levy is made, to be collected from each delinquent from whom he collects the tax, and from per centum commission on the amount by him collected which fee and commission shall be paid by the taxpayer.

SEC. 61. *Be it further enacted,* That so much of the 57th section of an act entitled "an act to provide more just and equitable laws for the assessment and collection of revenue for State and county purposes," etc., passed March 22, 1873, and approved March 25, 1873, as imposes penalties for the non-payment of taxes be and the same is hereby repealed as to all taxes hereafter levied except as herein provided.

Penalties of
Act of 1873 re-
pealed.

SEC. 62. *Be it further enacted,* That the County Trustee, in addition to the settlement now required to be made by him shall make the same settlements and with the same officers at the same times and places and in the same manner as the revenue collectors, and other collectors of property and poll taxes, State, county and municipal are required by law.

Trustee's set-
tlements.

SEC. 63. *Be it further enacted,* That on the first Monday after delivering statements to Constables and Sheriffs, and on the first Monday in each month thereafter next following the making out of said certified statements, the Chairman of the County Court for his county and the Mayor or other proper authority of each municipality, as have taxes collected by the Trustee, shall settle with the County Trustee, and ascertain what balance is due from him to the county and municipality respectively, and said Mayor or other proper authority of such municipality shall demand the balance due his municipality, and if the same is not paid, shall forthwith move against said Trustee on his official bond for such balance. In making said settlement the Chairman and said proper municipal authority respectively, shall allow the Trustee all credits the revenue collectors are now allowed, except compensation.

Monthly set-
tlements with
county and
municipality.

SEC. 64. *Be it further enacted,* That the Quarterly Court shall appoint a committee of competent citizens, not members of the County Court, to examine all settlements made by the County Judge or Chairman, with the various revenue officers of the county for the quarter immediately preceding said term of the court, which said committee shall examine all such settlements and report at once, or during said term of the court; *provided,* that they receive no more than \$3 each as compensation for making each settlement.

Committee to
examine set-
tlements.

SEC. 65. *Be it further enacted,* That the settlements made by said Chairman and committee of the court shall be spread upon the minutes of said Chairman's court, and shall specify every credit allowed said Trustee for insolvencies, removal, double taxation, and such other

Report spread
on minutes of
Chairman's
Court.

credits now allowed by law to revenue collectors, except compensation, and a certified transcript, under the seal of said court, shall entitle said Trustee to a credit for the State's proportion of such credits, in settlement with the Comptroller.

Motions vs.
sheriffs and
constables.

SEC. 66. *Be it further enacted*, That the motions given against the Sheriffs and Constables in this act on their bonds may be made by the Trustee in the name of the State in case he has to account for any tax justly due from any Sheriff or Constable, and may also be made by the county; taxing district, State or municipality, in case the Trustee's bond should be insufficient, from insolvency or otherwise, to satisfy any recovery thereon in favor of the municipality, county, State or taxing district.

Delinquents.

SEC. 67. *Be it further enacted*, That in all cases where taxes remain due and unpaid on the first day of June of the year following the year for which the taxes are due, the tax collector shall make out a complete list of all unpaid taxes on real estate, buildings and improvements.

Advertisements
to be
published.

SEC. 68. *Be it further enacted*, The collector shall advertise all real estate to be sold for taxes for thirty days before the day of sale, in manner following. He shall prepare a notice as follows: "Delinquents, take notice! On the first Monday in July next, at the court-house door (here name the county town) I will offer for public sale all the real estate belonging to delinquent taxpayers, a description of which real estate can be seen upon my books in my office. (Signed by the collector)." This notice shall be inserted once per week for four weeks in some newspaper published in the county; and if none be so published, then publish at the court-house door for four weeks by hand bills.

Sales for taxes.

SEC. 69. *Be it further enacted*, That said sale be made at the court-house of the county in which the lands lie, on the first Monday of July of the year succeeding the year for which taxes are due, and the next ensuing day or days, if necessary, until the sale is completed.

SEC. 70. *Be it further enacted*, That no tract, lot or parcel of land shall be sold for less than the amount of taxes, penalties and costs due thereon.

Bids for use
of State and
county.

SEC. 71. *Be it further enacted*, That if no person, company, firm or corporation bid the amount of taxes, penalties and costs, the tax collector shall bid the same off in the name of the Treasurer of the State, for the use of the State and county, said use to be for the amount of taxes, penalties and costs due to the State and county respectively.

SEC. 72. *Be it further enacted*, That in all cases of sale of any lot, tract or parcel of land of said advertised property to any person, company or firm, on the receipt of the amount due and chargeable on the property so sold, the tax collector shall give the purchaser a certificate of said purchase. Certificate of purchaser.

SEC. 73. *Be it further enacted*, That when said sales shall have been completed, and within thirty days after the first Monday of July of said year, the tax collector shall certify all of said sales to the Circuit Court of his county. Said certificate shall be in the following form: Report of sales to Circuit Co't

"I certify that after giving the notice required by law, on the — day of — 188—, I sold the following described tracts or parcels of land, lying in the county of —, State of Tennessee, to the respective parties herein named, for taxes, penalties and costs due thereon respectively. [He shall then set out a description of each tract or parcel of land, as in assessor's return, and the name of bidder, and the amount bid.] All of which is respectfully submitted.

[Signed]

Trustee.

Said court, if in session, or if not in session, then at the next term of said court, shall enter said sales of record as valid judgment, vesting title to the property so sold in the purchaser thereof; and writs of possession shall, in all cases, be granted to the purchasers during said term, or at any time on demand, whether said purchaser shall be any person, company, firm or corporation or the Treasurer of the State. Title, writs of possession; etc.

SEC. 74. *Be it further enacted*, That no sale shall be invalid because the number of acres or the size and dimensions of any tract, lot or parcel of land has not been precisely named, or the amount of the valuation or tax not precisely given, nor because the property has been assessed and advertised in the name of a person who did not own the same, nor because the same was assessed and advertised to unknown owners, nor because a distress warrant did not issue, nor on account of any objection or informality merely technical; but all such sales shall be good and valid, if the taxes, penalties and costs were actually due and unpaid, and the advertisement, sale and certificate of sale to the Circuit Court shall have been made as provided for in this act, and the judgment of the court vesting title in the purchaser, or a certified copy thereof, or the deed of the County Trustee or collector, which may be executed and deliv- Informalities.

ered to the purchaser after the expiration of the time for the redemption, shall, in any suit for the possession of land be *prima facie* evidence of all these facts, and of the validity and regularity of the sale, and shall be overcome by proof that the land was not subject to taxation, or that the taxes were paid before the sale, or that the land has been redeemed.

Possession.

SEC. 75. *Be it further enacted,* That in each and every case of sale of real estate under this act, where a writ of possession has been issued, it shall be the duty of the Sheriff to put the purchaser or purchasers thereof, his, her or their agent or attorney in possession of the same, with full power and authority of use and occupation of the same, and the enjoyment of all rents and profits arising therefrom, and the rights to sell, until a full and complete redemption of the same by the owner or owners, his, her or their agent or attorney has been effected, if within the time prescribed in the succeeding section of this act.

Irregularities.

SEC. 76. *Be it further enacted,* That whenever any land or lot shall have been sold under the provisions of this act, and the purchaser shall have paid the amount of his bid and costs, the owner shall not be entitled to an action of any kind to be restored to the possession of such land or lot upon the ground of any irregularity of the sale of the same until he shall have paid or tendered to such purchaser the amount of his bid, damages, interests and costs, and other taxes (if any should have been paid) as provided for in this act. But if such owner or person, liable for such taxes claim that they have been paid, or not justly due from any cause, he may pay the same under protest, and sue the collector to recover them back. And if such taxpayer recover a judgment against such collector, the Comptroller shall issue his warrant to such taxpayer for the amount of such judgment upon the presentation of a copy of the same duly certified.

Two years for redemption.

SEC. 77. *Be it further enacted,* That the owner or owners of any real estate sold at said sale, his, her, or heir agent or attorney shall be entitled and allowed to redeem the same and recover possession thereof at any time within two years of the day of sale, but at no time thereafter; and to effect such redemption, shall pay or cause to be paid to the Clerk of said court the amount of said taxes, penalty and costs, with interest on the same at the rate of six per cent per annum from the day of sale; on the payment of which a judgment of redemption

shall be entered of record in the court, and if the purchaser thereof shall refuse possession to said owner; a writ of possession shall be issued, and the sheriff shall place the party in possession.

SEC. 78. *Be it further enacted*, That at the July term of the County Court of the year succeeding the year for which the taxes are due, the tax collectors of the several counties of the State shall present a complete and accurate list of all uncollected taxes due from the assessments of personal property and polls for the preceding year, with the reasons assigned why the same has not been collected. The said County Court shall carefully consider said list, denominated errors and insolvencies, and if just, shall allow the same, or so much thereof as shall meet the approbation of the court, and shall order a credit for such amount as they may deem just and proper.

Credits for errors and inaccuracies.

SEC. 79. *Be it further enacted*, That said Trustee shall make monthly settlements with the Comptroller of the State, and with the Chairman of the County Court, and with the financial agent or Treasurer of each municipality, and pay over to the State Treasurer and said financial agent, respectively, the amounts shown by the respective settlements to be due each.

Monthly settlements by trustees.

SEC. 80. *Be it further enacted*, That the County Trustee, Constable or Sheriff, who has been compelled by judgment or otherwise to pay any tax by him not collected, shall have one year after said payment to collect said tax in the manner herein declared, and the tax-book and said certified statements, respectively, shall operate as a lien on the property of said delinquent tax-payer for one year after said payment; *provided*, however, that said payment by the County Trustee, Constable or Sheriff, shall be made within three years after said tax became due.

Delinquencies charged to trustee or sheriffs.

SEC. 81. *Be it further enacted*, That each and every Trustee shall, on or before the fourth Monday in September next following the land sales, and the allowance of errors and insolvencies, submit his final account to the Comptroller of the Treasury, for the purpose of making settlements and accounting for all taxes and penalties by him collected, for and on behalf of the State, and on such settlements shall be allowed credits as provided for in sections 648 to 660 inclusive of the Code, so far as the same are applicable.

Final settlement with Comptroller.

SEC. 82. *Be it further enacted*, That each and every collector shall, on or before the time named in the pre-

Final settle-
ment with
county.

ceding sections, submit his account as County Trustee to the Chairman of the County Court, for the purpose of making settlements and accounting for all taxes and penalties; and all other county revenue collected by him for and on behalf of the county; and on such settlement shall be allowed credits as provided for in sections 648 to 660 of the Code, so far as they are applicable, and with all legally authorized disbursements; and in default of making such settlements, and satisfactorily accounting for all money that shall have come into his hands, shall forfeit his office. On such settlement the Chairman of the County Court, or other officer making said settlement, shall see that the full amount of county revenue charged to said tax collector in the tax-books has been fully accounted for.

Misdemeanor
for assessor to
neglect or
evade his du-
ties.

SEC. 83. *Be it further enacted*, That each and every assessor who, in discharge of his duties as such assessor, shall, in any case, refuse or neglect to perform any duty enjoined upon him by law, or shall knowingly and wilfully evade or violate any of his duties as assessor, whereby any proceedings required by law to be performed shall be prevented or hindered, or whereby any property or capital required to be listed for taxation by this act shall not be assessed, or shall be assessed at less than its true value on the basis prescribed by this act, shall, for every such neglect, refusal, wilful evasion or violation, be deemed guilty of a high misdemeanor, and, upon conviction thereof, shall forfeit and pay to the State not less than fifty, nor more than five hundred, dollars at the discretion of the court and jury.

Penalty for
evasion.

One year to
collect delin-
quencies.

SEC. 84. *Be it further enacted*, That the tax collector shall have one year from the expiration of his term of office to collect any arrearages of taxes, penalties and costs for which the County Court may have refused a credit.

Fees of clerk,
trustee or prin-
ter for land
sales.

SEC. 85. *Be it further enacted*, That the Comptroller of the Treasury shall issue his warrant for the fees of the Trustee, Clerk, and printer, on all sales of land, to the Treasurer of the State, said fees to be as follows, viz: Printer's fee of five dollars for notice in section 68; Clerk's fee and Trustee's fee each fifty cents, for each separate tract, lot or parcel of land.

Chartered
towns,

SEC. 86. *Be it further enacted*, That this act shall not be construed as to prevent towns acting under charters of incorporation from providing for the assessment and collection of taxes in pursuance of their charter for municipal purposes; *provided*, that the collection of

taxes under this section shall apply only to cities having their own tax collector.

SEC. 87. *Be it further enacted*, That chapter 81 of acts of 1875, entitled, "an act to amend all laws for the assessment and collection of revenue," and chapter 73 of acts of 1877 entitled, "an act to amend all laws for the assessment of property," and chapter 245 of the acts of 1879, entitled, "an act to repeal an act passed March 23, 1877, and to amend revenue laws of the State, and to amend the act passed March 23, 1875, entitled, 'an act to more cheaply collect the State, county and municipal revenue,'" and chapter 171 of acts of 1881, entitled, "an act to provide more just and equitable laws for the assessment and collection of revenue for State and county purposes, and to repeal all laws now in force whereby revenue is collected from the assessment of real estate, personal property, privileges or polls, so far as they conflict with this act, and that all acts and parts of acts upon the subject of assessment and collection of taxes and sale of land for taxes, in conflict with the provisions of this act and all other acts in conflict with the provisions of this act be and they are hereby repealed. Acts repealed or amended.

SEC. 88. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 29, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 30, 1883.

WM. B. BATE,

Governor.

CHAPTER CVI.

AN ACT to Provide Revenue for the State of Tennessee and the Counties thereof.

Forty cents tax. SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the State tax on every one hundred dollars' worth of taxable property shall be forty cents for the year 1883, and for every subsequent year thereafter; thirty cents of which shall be for State purposes and ten cents for school purposes.

County taxes. SEC. 2. *Be it further enacted,* That the several County Courts of this State be and they are hereby authorized and empowered to levy an annual county tax on every one hundred dollars worth of taxable property for general county purposes, not exceeding the State tax, and exclusive of the tax for public roads and schools and interest on county debts.

Merchants. SEC 3. *Be it further enacted,* That merchants shall pay an *ad valorem* tax upon the capital invested by them of forty cents on each one hundred dollars, a privilege tax of thirty cents on each one hundred dollars' worth of taxable property. *Provided,* that such privilege tax shall in no case be less than five dollars, and they shall pay a privilege tax of ten cents of each one hundred dollars of their capital so invested for school purposes.

Privileges. SEC. 4. *Be it further enacted,* That the rate of taxation on the following privileges shall be as follows per annum :

Artists and photographers in cities over 10,000....	\$ 50 00
under 10,000 and over 5,000.....	25 00
under 5,000 and over 3,000.....	15 00
under 3,000 and over 1,000.....	10 00
under 1,000.....	6 00

and where population is referred to it shall refer to and be controlled by the census of 1880 to-wit: In cities or towns of less than 1,000 inhabitants, six dollars. Persons (others than artists and photographers of this State) soliciting pictures in this State to be enlarged outside the State, ten dollars in each county.

AUCTIONEERS , in cities of 40,000 inhabitants or over.....	\$ 50 00
In cities of 30,000 and up to 40,000 inhabitants.....	40 00
In cities of 20,000 and up to 30,000 inhabitants... ..	35 00
In cities and towns of 10,000 and up to 20,000 inhabitants....	25 00
In cities of 5,000 and up to 10,000 inhabitants	15 00
In cities or towns under 5,000 inhabitants.....	10 00
BANKS AND BANKING , in cities or towns of 40,000 inhabitants.	500 00
In cities or towns of 30,000 and up to 40,000 inhabitants.....	400 00
In cities or towns of 20,000 and up to 30,000 inhabitants.....	350 00
In cities or towns of 10,000 and up to 20,000 inhabitants.....	250 00
In cities or towns of 5,000 and up to 10,000 inhabitants.....	150 00
In cities or towns under 5,000 and over 2,000 inhabitants....	100 00
In cities or towns under 2,000 inhabitants.....	75 00
BREWERS , in counties of 60 000 inhabitants or over.....	100 00
In counties of less than 60,000 inhabitants.....	50 00
BROKERS (OTHER THAN REAL ESTATE BROKERS) , in cities	
of 20,000 inhabitants or over.....	200 00
In cities of 10,000 and up to 20,000 inhabitants.....	100 00
In cities or towns of less than 10,000 inhabitants.....	50 00
BROKERS, PAWN , same as above.	
On real estate brokers.....	5 00
And 1 per cent on sales and rents, and such brokers shall file a bond with the clerk of the county court as required of merchants.	
On brokers for commission on merchandise the same rate as charged other merchants.	
BUTCHERS , including all offices and stores for the sale of fresh meat at retail in cities, or adjacent thereto, of 20,000 in- habitants or over	50 00
In cities of 10,000 up to 20,000 inhabitants.....	30 00
In cities of 5,000 and up to 10,000 inhabitants.....	20 00
In cities or towns under 5,000 and over 3,000.....	10 00
<i>Provided</i> no butcher's tax shall be collected in towns with a population of less than 3,000 inhabitants.	
BOARDING-HOUSES , in towns of 20,000 or over, each room.....	1 00
In towns of 5,000 to 20,000 inhabitants, each room.....	75
In towns of less than 5,000 inhabitants, each room.....	50
In towns of less than 2,000 inhabitants, each room.....	35
COTTON COMPRESS taxed as other property, and an additional privilege tax on each compress of.....	75 00
COTTON-SEED OIL COMPANIES taxed as other property.	
COUNTY CERTIFICATES OR WARRANTS , dealers, in cities of 40- 000 or over	50 00

In cities or towns of 20,000 and up to 40,000 inhabitants.....	30 00
In cities or towns of less than 20,000 inhabitants	20 00
COMMERCIAL AGENCIES.....	100 00
On CIRCUSES AND MENAGERIES and circuses and menageries combined, for exhibition for each day and night, or day or night.....	150 00
On exhibitions for profit, except menageries and theatres, for each day and night, or day or night.....	7 50
On exhibitions of sleight of hand legerdemain, each day and night, or day or night.....	7 50
Side shows and other shows and concerts in connection with circuses or menageries, or circuses and menageries, shall be taxed separately under appropriate heads; <i>provided</i> they charge a sep- arate or an additional entrance fee.	
EATING-HOUSES, all public eating-houses (except for religious or charitable purposes).....	10 00
FRUIT STANDS taxed as other merchants.	
BILLIARD TABLES, pool tables, flying-jennies, bagatelle tables, Jennie Lind tables, ten pin alleys, each <i>per annum</i> in towns of 20,000 inhabitants and upwards	30 00
10,000 to 20,000.....	25 00
5,000 to 10,000.....	20 00
2,000 to 5,000.....	15 00
Less than 2,500.....	10 00
And said tax shall be paid by every saloon keeper or other person who keeps such table or alley in connection with his or her business, and for the use of the public, whether the same is charged for or not.	
HOTELS kept at places for summer resort taxed as other hotels, to be paid monthly; hotels and taverns, each room except two.....	1 00
HUCKSTERS taxed as other merchants; <i>provided</i> that this sec- tion does not apply to persons who travel around in their counties, collecting up marketing (that is to say, chick- ens, butter, eggs, rags, fruit, and such things as they collect to carry to market), that said persons be non-taxa- ble either as hucksters or peddlers.	
INTELLIGENCE OFFICE keepers each	20 00
LIGHTNING RODS, dealers in, each one hundred dollars for State tax and five dollars in each county in which they may do business.	

LIVERY-STABLES, for each stall.....	\$ 1 00
WHOLESALE LIQUOR DEALERS \$150, and taxed as other merchants. Liquor dealers (retail) shall pay as follows: taxed as other merchants, and in addition shall pay as follows: At any place not a city or town, or in a city or town of 1,000 inhabitants or less....	150 00
In a city or town of more than 1,000 and less than 5,000 inhabitants.....	150 00
In a city or town of 5,000 inhabitants or over, two hundred dollars (quarterly or semi annually in the same proportion) and the provision of this act shall apply to all druggists	200 00
FUTURES, dealers in, each person, company, firm or corporation dealing therein.....	1,000 00
GAS COMPANIES in cities or towns of 40,000 inhabitants	200 00
In cities or towns of 20,000 to 40,000 inhabit'rs	150 00
In cities or towns of 10,000 to 20,000 inhabit'rs	100 00
In cities or towns under 10,000 inhabitants ...	50 00
LITIGATION on each suit in law or equity causes, including application for petition.....	2 50
On each indictment or presentment.....	5 00
On each appeal to the Supreme Court in criminal cases, if defendant is unsuccessful.....	7 50
On each appeal to the Supreme Court on writ of error or certiorari from a Circuit or Chancery Court to the Supreme Court.....	5 00
On each appeal or certiorari from a Justice of the Peace.....	2 00
Each case submitted under the small offense law	3 00
Each case before a Mayor or Recorder's Court, or before any Police Court having jurisdiction of offenses in any taxing district in the State, (and said officer collecting said tax on litigation and in said criminal causes, and under the small offense act, and the officer holding the Police Court in the towns and cities in the taxing districts of this State shall report the amount collected by them every thirty days and pay the same over to the Clerk of the County Court, taking duplicate receipts, one of which shall, without delay, be forwarded to the Comptroller). Nothing in this act shall be construed to authorize a tax on application for dower.	1 00

LUMBER DEALERS who buy and sell sawed lumber <i>ad valorem</i> , and privilege tax as other merchants.	
MARRIAGE LICENSE , each for school purposes.	\$ 1 00
Clerks' fees as now provided by law.	
PEDDLERS of merchandise, if on foot, in each county, each, payable quarterly.....	10 00
If with horse or vehicle, in each county, each, payable quarterly.....	20 00
If with more than one horse, for each additional horse, in each county, payable quarterly, (persons engaged in gathering produce to be carried to market shall not be considered peddlers).....	8 00
Peddlers of patent medicines and nostrums, if on foot or horse, in each county, each, semi-annually.....	20 00
If with horse and wagon, in each county, each, semi-annually.....	50 00
PUBLIC PARKS kept for admission of visitors, admission to which a fee is charged, shall pay annually a tax of.....	100 00
POOL SELLING , each person, company, firm or corporation engaged therein.....	100 00
PLUMBERS AND GAS-FITTERS shall be taxed as merchants, on stock kept for sale.	
RACE TRACKS , one mile or more, per annum....	100 00
Half-mile track per annum.....	75 00
Quarter-mile track.....	50 00
RESTAURANTS in cities of 20,000 inhabitants or more.....	50 00
In cities containing from 10,000 to 20,000 inhabitants.....	40 00
In cities of less than 10,000 and more than 5,000.....	25 00
Under 5,000 and more than 2,000.....	15 00
Under 2,000.....	10 00
SAMPLES , selling, each person selling goods by sample to consumers, in each county.....	10 00
SECURITIES , dealers in (other than brokers) three cents on each dollar employed, but in no instance less than.....	20 00
STOCKS AND BONDS , dealers in (other than brokers) same tax as dealers in securities.	
Shaving notes, same as stocks and bonds.	
SEWING MACHINES , dealers in, or persons selling by sample in each county, in counties of over 40,000 inhabitants.....	20 00

In each county, in counties under 40,000 inhabitants	\$ 10 00
Merchants selling sewing machines on which they pay a tax as on other merchandise not to pay this tax.	
SKATING RINKS each per annum in cities of 20,000 inhabitants or over.....	150 00
In cities or towns of over 10,000 and less than 20,000 inhabitants.....	75 00
In cities and towns of less than 10,000 inhabitants.....	40 00
Which may be taken and paid monthly or quarterly.	
STEAM FERRIES, when the landings in the State are at or near towns or cities of 10,000 inhabitants or more.....	50 00
5,000 to 10,000 inhabitants.....	30 00
1,000 to 5,000 inhabitants.....	20 00
1,000 inhabitants or less.....	15 00
STANDS, CIGAR, taxed as other merchants.	
SALE STABLES, each stall.....	1 00
SHOOTING GALLERIES, each.....	10 00
STOCK-YARDS, each pen.....	12 00
THEATERS in cities and towns of 20,000 inhabitants or over the tax shall be \$100 per quarter, or per annum.....	40 000
In cities and towns of 10,000 inhabitants up to 20,000 the tax shall be \$65.00 per quarter, or per annum.....	267 00
In cities and towns of 5,000 up to 10,000 inhabitants the tax shall be \$40.00 per quarter, or per annum.....	160 00
In cities and towns of 3,000 up to 5,000 inhabitants the tax shall be \$25.00 per quarter, or per annum.....	100 00
In cities and towns of 1,500 up to 2,000 inhabitants the tax shall be \$15.00 per quarter, or per annum.....	60 00
In towns of less than 1,500 inhabitants the tax shall be \$10.00 per quarter, or per annum...	40 00
Variety establishments \$30.00 per month, semi-annually	150 00
TELEPHONE COMPANIES on each telephone box..	50
ICE COMPANY, each person, firm or corporation..	\$ 50 00

VEHICLES , if run for profit within the limits of this State without reference to the residence of the owner. Drays, express wagons and carts (except those of express companies which pay a privilege tax) carts or wagons hauling coal or pig iron as a regular business, shall pay when drawn by one horse, each per annum....		1 00
When drawn by more than one horse, for each additional horse.....		1 00
Hacks, carriages and wheeled vehicles (except drays) that run for profit within this State, without reference to the residence of the owner, each, when drawn by two or more horses.....		5 00
Omnibuses and Express Wagons, each..... <i>provided farmers hauling their own produce are excepted.</i>		10 00
WATER COMPANIES same as gas companies.		
ELECTRIC LIGHT COMPANIES , per annum.....		50 00
The following corporations shall pay tax directly to the Comptroller:		
EXPRESS COMPANIES if lines are less than one hundred miles long, per annum.....		1,000 00
If lines are over one hundred miles long, per annum.....		2,000 00
INSURANCE COMPANIES , life, $2\frac{1}{2}$ per cent on gross premium receipt, payable semi-annually.		
FIRE INSURANCE COMPANIES and all others except life, $2\frac{1}{2}$ per cent on total amount of premium receipts, payable semi-annually.		
Each AGENT of mutual insurance companies, fire or life, shall pay in each county where he does business, a tax of		5 00
RAILROAD COMPANIES taxed as other property.		
SLEEPING-CAR COMPANIES , each sleeping-car company doing business in this State shall pay a privilege tax to the Comptroller, in lieu of all other taxes, of.....		50 00
TELEGRAPH COMPANIES for each office or station situated in a town of 2,000 inhabitants or under, per annum.....		10 00
In towns or cities of 2,000 to 20,000 inhabitants.....		50 00
In a town of over 20,000 inhabitants.....		100 00
SEC. 5. <i>Be it further enacted,</i> That the income derived from all shares of stock in any corporations which are by their charters exempt from an <i>ad valorem</i> tax or		

from bonds exempt from any such tax, shall pay a tax of five per cent per annum upon the amount of such income.

SEC. 6. *Be it further enacted*, That all laws and parts of laws in conflict with this act, be and the same are hereby repealed, and that this act take effect from and after its passage, the public welfare requiring it.

Passed March 30, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 30, 1883.

WM. B. BATE,
Governor.

CHAPTER CVII.

AN ACT to change the line between the counties of Hawkins and Hamblen, and to repeal section 5 of an Act passed December 15, 1871, chapter 91.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section 5 of an Act passed December 15, 1871, chapter 91, changing the line between the counties of Hawkins and Hamblen, be and the same is hereby repealed, and that the line between said counties at the point mentioned in said section hereby repealed, be and the same is hereby re-established as it existed prior to the passage of said Act.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 17, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 19, 1883.

WM. B. BATE,
Governor.

CHAPTER CVIII.

AN ACT to amend section 468d of Thompson and Steger's Code, and to define the power of County and Probate Courts in granting letters of administration to public administrators.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section 468d of Thompson and Steger's Code be and the same is hereby amended so as to read as follows: Should any person or persons entitled to the administration of an estate, or to the guardianship of any minor, under existing laws, fail or neglect to apply to the County or Probate Court having jurisdiction, and take out letters of administration and guardianship within six months after the death of the intestate or within three months after the settlement of the estate by the administrator, it shall be the duty of the administrator or guardian, herein provided for, immediately to enter upon the administration or guardianship of such estates, as the case may be, first applying to the County or Probate Court having jurisdiction for the necessary letters of administration or guardianship: *Provided, however*, that the County or Probate Court having jurisdiction may grant letters of administration to the Public Administrator at any time within six months after the death of the intestate, when it appears that the persons entitled to letters of administration refuse after legal notice to administer, and it further appears that the interest of the estate requires that letters of administration should be granted: *Provided*, the notice served on those entitled to administer shall fix a day on which they may appear and qualify, and their failure shall be sufficient evidence of their refusal, and the day so fixed shall not be less than two months after the death of the intestate.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 20, 1883

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 22, 1883.

WM. B. BATE,

Governor.

CHAPTER CIX.

AN ACT to change the line between the counties of Putnam and Cumberland.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That a tract of land known as the Alred and Gore grant, and two tracts of land belonging to James Bartlett, adjoining said grant, said lands being partly in the First Civil District of Cumberland county, and partly in the Fourteenth Civil District of Putnam county, be and the remainder of said land which are not in Putnam county, are hereby attached to said county of Putnam.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 20, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 22, 1883.

WM. B. BATE, *Governor.*

CHAPTER CX.

AN ACT to amend the charter of the corporation of Fayetteville, and an Act passed on the 4th day of April, 1881, amending said charter.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the charter of the corporation of Fayetteville, and an Act passed April the 4th, 1881, be so amended that the Aldermen elected by the qualified voters of said corporation shall serve for a term of two years, and that the next election for Aldermen shall be held on the Saturday before the first Monday in October, 1884, and that the present Board of Aldermen shall hold their offices until their successors are elected and qualified.

Passed March 20, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 22, 1883.

WM. B. BATE, *Governor.*

CHAPTER CXI.

AN ACT to provide for the appointment of Jail and Work House Commissioners for Montgomery county, and to define their duties.

Election of Commissioners SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Quarterly Court of Montgomery county, at its April term, 1883, and at its January term each year thereafter, shall elect three householders or freeholders, residents of the county, of lawful age, to act with the County Judge as commissioners of the county jail, which has been declared a workhouse by the Quarterly Court of said county, under Chapter 83, section 3, of the Acts of 1875.

Commissioners to control jail and workhouse SEC. 2. *Be it further enacted*, That the said commissioners and County Judge, in addition to the duties that devolve on them under sections 5425, 5426 and 5427 of the Code, shall have complete supervision and control of the county jail and workhouse ; shall be authorized to employ a competent physician to attend the inmates and shall examine and approve all accounts for clothing, medicines or supplies, before the same are paid ; they shall be authorized to work the county prisoners upon the public roads of the county, with the consent of the road commissioners of the district in which the work is to be done, or to place them at any other employment not dangerous to life or injurious to health. Said commissioners shall keep a strict account of all the expenses of said Jail and Workhouse, and shall make reports semi-annually to the Quarterly Court of the county, showing the precise cost of the same to the tax payers, which report shall be spread upon the minutes of the court. As **Employment of prisoners.** **Compensation.** compensation for their services the commissioners shall receive each a sum not exceeding two dollars and a half per day, including mileage, and shall draw pay for not exceeding ten days in a year. The County Judge, for his services as one of said commissioners shall receive no extra compensation.

Superintendent of jail. SEC. 3. *Be it further enacted*, That the County Judge may, subject to the approval of the other three commissioners, appoint a superintendent of said Jail and Workhouse, who shall, when so appointed, take an oath for the faithful discharge of his duties, before the Clerk of the County Court of said county, and after being thus qualified, the Sheriff of said county shall, upon

demand, turn over the Jail and Workhouse and prisoners, together with all the property belonging thereto, to said superintendent, he giving his receipt for the same. Said superintendent shall be subject at all times to the control and direction of the commissioners; shall have custody of all prisoners, State and county; shall receive for the board of State prisoners such compensation as is now by law allowed the Jailer; for boarding, guarding and superintending while at work the county prisoners he shall receive such compensation as may be allowed him by the commissioners, not to exceed the compensation now fixed by law for boarding alone, and no fees as turnkey shall be charged by said superintendent in receiving or discharging either State or county prisoners.

SEC. 4. *Be it further enacted*, That prior to the first Monday in April, 1883, all the powers vested by this Act in the Judge and commissioners, shall be vested in the County Judge and Jail committee of Montgomery county.

SEC. 5. *Be it further enacted*, That all laws and parts of laws in conflict with this Act, be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 20, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 22, 1883.

WM. B. BATE,
Governor.

CHAPTER CXII.

AN ACT to provide for the infliction of the death penalty in private.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That when the death penalty shall be enforced, the same shall be inflicted within the prison where the convict shall be confined, or within an enclosed yard of said prison, if there be one, or within an

inclosure erected for the purpose, adjacent to the prison, at the discretion of the Sheriff, or other officer, whose duty it shall be to inflict the same.

SEC. 2. *Be it further enacted*, That the inclosure within which the death penalty shall be inflicted shall be higher than the gallows, or so constructed as to exclude the view of persons outside thereof.

SEC. 3. *Be it further enacted*, That the Sheriff and his assistants, and the following persons may be present at the execution, and none other: The clergymen in attendance upon the prisoner, the immediate family of the prisoner, and such other persons as he may designate, not exceeding three in number, and such other persons as the Sheriff may designate, not exceeding six in number.

SEC. 4. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring.

Passed March 20, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 22, 1883.

WM. B. BATE,

Governor.

CHAPTER CXIII.

AN ACT to repeal an Act passed March 26, 1877, entitled "An Act to regulate the lien acquired by judgments, decrees," etc.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act passed March 26, 1877, entitled "An Act to regulate the lien acquired by judgments, decrees," etc., being chapter 120 of said Acts, be and the same is hereby repealed.

SEC. 2. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 20, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 24, 1883.

WM. B. BATE,
Governor.

CHAPTER CXIV.

AN ACT to provide for the creation and organization and defining the powers of Municipal Corporations embracing territories of cities having a population of thirty-six thousand and upwards, according to the Federal census of 1880, whose charters have been abolished.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the several communities embraced in the territorial limits of all such municipal corporations in this State, as have had their charters abolished under the provisions of an Act passed by the present General Assembly, entitled "An Act to repeal the charters of all municipal corporations in the State of Tennessee having a population of thirty-six thousand and upwards, under the Federal census of 1880, are hereby constituted municipal corporations and bodies politic, by the former names and styles of the municipal corporations respectively, whose charters have been abolished as aforesaid and to which they are successors. Abolished cities redivivus

SEC. 2. Said corporation shall have perpetual succession, shall sue and be sued, plead and be impleaded in all courts of law and equity, and in all actions whatsoever; may purchase, receive and hold property, real and personal, within said city, and may sell, lease or dispose of the same for the benefit of the city, and may purchase, receive and hold property, real and personal, beyond the limits of the city, to be used for the burial of the dead; Powers liabilities.

for the erection of the water-works; for the establishment of the poor-house, pest-house, work-house or house of correction; or for a public park or promenade; or for any other purpose that the mayor and city council may deem necessary or proper, and may sell, lease or dispose of such property for the benefit of the city to the same extent as natural persons; they shall have and use a common seal, and change it at pleasure.

Corporate authorities. SEC. 3. The corporate authorities of all cities controlled by this Act, shall be vested in a mayor and city council, a board of public works and affairs, and in such officers as may be appointed or elected in pursuance of law. The legislative powers of said corporation shall be exercised by a city council. The city council shall be composed of ten councilmen, who shall be elected for a term of four years, at a general election by the qualified electors of the city at large, but not more than one residing in any one ward shall be eligible. If there is more than one candidate residing in the same ward, that one of them receiving the highest number of votes of the electors at large shall alone be eligible. The office of any councilman removing from his ward shall be thereupon vacated. In case of a tie vote between candidates for councilman who have received a plurality of the votes cast for the general ticket, the tie shall be determined by a majority vote of the city council at their first meeting after organization. No person shall be eligible to the office of mayor or councilman who is not a citizen of the State of Tennessee, and who has not been a resident of said city for at least two years immediately preceding his election, and should either cease to be a resident, his office shall be thereby vacated.

City Council.

Qualifications.

Terms of Councilmen. SEC. 4. At the next election after the passage of this Act, five of the councilmen shall be elected for two years, the balance for four years, and biennially thereafter there shall be an election to fill the expirations as they occur. The five receiving the highest number of votes at the first election shall hold for the long term.

Oaths. SEC. 5. That each councilman shall, before entering upon the duties of his office, take an oath that he will faithfully and impartially discharge the same without favor. All vacancies occurring in said board shall be filled by the vote of the majority of the remaining members. The members shall elect, biennially, one of their own number to be their presiding officer, with power to enforce such rules as may be adopted by the board for the government thereof.

Vacancies.

Presiding officer.

SEC. 6. The city council shall judge of the qualifications, elections and returns of its own members, and shall prescribe rules for the determination of contested elections. It may determine its own rules of proceeding, and prescribe the punishment of its members for non-attendance or disorderly conduct, and enforce the same; two-thirds of its members concurring, may expel a member for improper conduct while in office. It shall require a majority of the members of the board to form a quorum for the transaction of business, but a smaller number may adjourn from day to day, and under a provision of an ordinance may compel the attendance of absent members by fine and penalties.

Membership.

Rules of proceedings, etc.

Quorum.

SEC. 7. To enable the city council fully to investigate charges against its own members or other officers, or such other matters as they may deem proper; the mayor or recorder, at the request of the board, is hereby empowered to issue subpoenas and compulsory process to compel the attendance of persons, and the production of books and papers before the city council, or any committee of the same.

Compulsory process.

SEC. 8. The city council shall hold meetings at such times as it may determine, not exceeding two regular stated meetings per month. Councilmen shall receive no compensation.

Meetings.

SEC. 8a. When two or more persons shall have an equal number of votes for the office of mayor, the election shall be referred back to the voters of the city, and held as before, within the next succeeding ten days. The mayor may be impeached by the city council for misfeasance, malfeasance, or non-feasance in office, and two-thirds of the city council concurring, may be removed.

Mayor.

SEC. 9. The mayor shall hold office two years. It shall be the duty of the mayor to carefully examine all bills passed, and should either or any of them not meet his approbation, to return the same to the next regular meeting of the city council, with his objections in writing, and no law or ordinance so vetoed by the mayor shall go into effect unless the same be passed by a majority vote of the whole number of members of the city council. No bill shall become a law without first having been passed on three several readings by a majority vote, on the third of which readings a majority of the whole number of members of the board shall be required, and until said bill shall have been signed by the mayor, or without his signature, as provided in this Act.

Term of office.

Veto.

Passage and approval of bills.

The mayor shall be required to veto only such features in a bill as he may deem objectionable, and may approve the residue of the same bill. If the mayor fail to return any law or ordinance, as aforesaid, he shall be deemed to have approved the same, and it shall become a law without further action. The mayor shall also have power to make *pro tempore* appointments to fill vacancies occasioned by sickness, absence, or other disability of any city officer, and to suspend any city officers for misconduct in office or neglect of duty, reporting his action with his reasons therefor in writing to the next regular meeting of the city council, by whom final action shall be taken, but he shall not have the power to fill vacancies, or suspend members of the board of public works and affairs and councilmen. He may, whenever in his judgment the good of the city requires it, call special meetings of the city council, and when so called he shall state by message the object for which it shall have been convened, and the business of such meeting shall be restricted to the object so stated. He shall, at least once in every three months, cause to be presented to the city council a full and complete statement of the financial condition of the city. The mayor shall from time to time communicate to the city council such information, and recommend such measures as may in his judgment tend to the improvement of the finances and the general interest of the city. He shall take care that all the ordinances are duly respected and observed within the city, and perform such other duties as may, by ordinance of the city council, be required of him. The compensation of the Mayor shall be \$2,400 *per annum*, and may be changed by ordinance, but not during his term of office; and he shall, before entering upon the duties of his office, take an oath to faithfully and impartially perform the same. He shall have the power and exercise the functions of a justice of the peace, but only for the preservation of peace within the limits of the city, and public parks and grounds without the city belonging to the city. He shall have power to bid in property for the city at all tax and judicial sales, when the city is a party.

Pro tempore appointment.

Special meetings of Council.

Financial statement.

Mayor's salary.

Powers of Mayor.

SEC. 10. In case of the absence of the mayor, the president of the board of councilmen shall discharge his duties, and in case the mayor's office is vacated by death, resignation, removal or non residence, the president of the board of councilmen shall discharge the duties of said office until a successor for his unexpired term be elected by the people, which election shall be held within thirty days after a vacancy occurs.

Mayor's substitute.

SEC. 11. That the general election for mayor and councilmen shall be held biennially on the second Thursday in October, and the new administration shall be organized and sworn into office on the Tuesday following. The voters shall vote by ballot. Every person entitled to vote for members of the General Assembly by the laws of the State, who shall have resided in the city for six months, and in the ward in which he offers to vote, for thirty days next preceding the day of election, shall be entitled to vote, but only in the ward in which he resides. In case of a removal of a voter from one ward to another, within thirty days next preceding an election, he may vote in the ward from which he removed. Non-residents, who shall have owned a taxable freehold in said city for six months previous to said day of election, and being qualified to vote for members of the General Assembly by the laws of this State, shall be entitled to vote in the ward in which said freehold is situated, and such persons owning real estate in more wards than one may elect in which of said wards to vote, but shall not be allowed to vote in more than one ward.

Elections.

Voters.

SEC. 12. That judges and clerks of elections shall be appointed by the board of councilmen, and shall take oath to faithfully and impartially discharge their duties. They shall open the polls at 9 o'clock in the forenoon and close them at 4 o'clock in the afternoon, when they shall forthwith proceed to ascertain and transmit to the mayor the result of such election, certified and authenticated by the clerks and a majority of the judges of election for each ward. The mayor shall deliver to the city recorder the returns as they are received by him, who shall forthwith enter the same as they are successively received, in a book to be kept for that purpose.

Judges and clerks of elections.

Returns.

SEC. 13. That it shall be the duty of the city recorder, within two days after he shall have ascertained the result of each general or special election, as herein prescribed, to furnish his certificate to each person elected. For said election there shall be the same wards in number and boundaries as they exist in such cities at the time of the passage of this Act.

Certificates.

SEC. 14. For the first election after this Act, on the second Thursday in October, 1883, the sheriff of the county in which such corporation is, shall appoint the judges and receive the returns and declare the result, and furnish certificates to those elected.

SEC. 15. That the provision of sections 4894 to 4912

Election inclusive, and 4912*d* to 4912*i* inclusive, of Thompson & Steger's Revised Statutes of Tennessee, are made applicable to all elections held under this Act.

Mayor and city council.

Offices and officers.

SEC. 16. That said mayor and city council shall have power and are hereby authorized to create such offices and to provide by ordinance for the appointment or election of all such officers as may be necessary for the good government of the city (not in conflict with nor to interfere with the duties of officers and appointees provided for in this Act), whose compensation and the time of service shall be fixed before their election, and the compensation shall not be increased or diminished during their term of office. The said mayor and city council shall have power and authority to abolish at any time any office created by them, and discharge any officer elected or appointed by them, by a majority vote on the call of the roll; but shall not abolish any office created under this Act. All elections by the city council shall be a *viva voce* on the call of the roll. All officers created by this Act, or created by city ordinance, and appointees of the board of public works and affairs shall be required to give such bond as the mayor and city council may by ordinance provide, and the board of public works and affairs may demand of its employees, appointees and artisans, such bond as it shall deem fit, in case there is no ordinance of the mayor and city council requiring such bond. No councilman shall be eligible to any city office during that period for which he was elected.

Bonds of officers.

Powers of mayor and council.

SEC. 17. That the mayor and city council of each of said cities shall, within the limitations in this Act provided, have powers by ordinance.

1. To levy and collect taxes upon all property taxable by law for State purposes.

2. To levy and collect taxes upon all privileges taxable by the laws of the State.

Debt and expenses.

3. To appropriate money and provide for the payment of the debt and expenses of the city, and also the debt of the municipal corporation of which they are the successors.

Quarantine.

4. To make regulations to prevent introduction of contagious diseases in the city; to make quarantine laws for the purpose, and enforce the same within ten miles of the city.

Hospitals.

5. To establish hospitals and make regulations for the government thereof.

Free schools.

6. To establish a system of free schools and regulate the same, but so as to avoid sectarian influence.

7. To make regulations to secure the general health of ^{Public health.} the inhabitants, and to prevent and remove nuisances.

8. To provide the city with water by water-works within or beyond the boundaries of the city, and to pro- ^{Water.} vide for the prevention and extinguishment of fires, and organize and establish fire companies.

9. To make appropriations to open, alter, abolish, widen, extend, establish, grade, pave, or otherwise improve, clean and keep in repair streets, alleys and side- ^{streets and public works.} walks, or to have the same done, and to erect, establish and keep in repair bridges, culverts, sewers and gutters; and make appropriations for lighting the streets, and for the erection of all buildings necessary for the use of the city.

10. To license, tax and regulate auctioneers, grocers, ^{Privileges.} merchants, retailers, taverns, brokers, coffee-houses, confectioneries, retailers of liquors, hawkers, peddlers, livery stable keepers, and all other privileges taxable by the State.

11. To license, tax and regulate hackney carriages, carts, omnibusses, wagons and drays, and to fix the rate ^{Vehicles.} to be charged for the carriage of persons and of property within the city, and to the public works and property without the limits of the city.

12. To license, tax, regulate and suppress theatrical ^{Shows.} and other exhibitions, shows and amusements.

13. To regulate or prohibit and suppress all gambling houses, disorderly houses and bawdy houses, and obscene ^{Gambling, etc.} pictures and literature.

14. To regulate, restrain or prevent the carrying on of manufactories dangerous in causing or producing fires, ^{Fire and arms.} and to prevent and suppress the sale of fire arms and carrying of concealed weapons.

15. To regulate the storage of gunpowder, tar, pitch, rosin, saltpetre, gun cotton, coal oil, and all other combustible, explosive and inflammable material, and the use ^{Combustibles.} of lights, candles, lamps and steam pipes in all stables, shops and other places, and to regulate or suppress the use and sale of fire crackers and toy pistols.

16. To establish standard weights and measures to be used in the city, and to appoint a sealer of standard ^{Weights and measures.} weights and measures, who shall have exclusive jurisdiction within the city.

17. To provide for the inspection and measuring of ^{Lumber.} lumber and other building material.

18. To provide for the inspection and weighing or meas- ^{Fuel and provender.} uring stone, coal, wood and all fuel, hay, corn and other grain.

- Food and spirits.** 19. To provide for and regulate the inspection of beef, pork, flour, meal and all provisions, oils, whisky and other spirits in barrels, hogsheads and other vessels.
- Produce and marketing.** 20. To regulate the inspection of milk, butter, lard and other provisions; to regulate the vending of meat poultry, fish and vegetables; to restrain and punish the forestalling and regrating of provisions; to establish and regulate markets.
- Fines and penalties.** 21. To impose fines, forfeitures and penalties for the breach of any ordinance, and to provide for their recovery and appropriation.
- Disorderly conduct.** 22. To provide for the arrest, imprisonment and punishment of all riotous and disorderly persons within the city by day or by night, and for punishment for all breaches of the peace, noise, disturbance, or disorderly assemblies.
- Wards.** 23. To fix from time to time the number and boundary of the city wards, but they shall never be less than ten.
- Health.** 24. To pass all ordinances necessary for the health, convenience and safety of the citizens, and to carry out the full intent and meaning of this Act, and to accomplish the object of this incorporation.
- Dangerous structures.** 25. To impose penalties upon the owner or owners, occupants or agents of any house, wall or sidewalk, or other structure which may be considered dangerous or detrimental to the citizens, unless after due notice to be fixed by ordinance, the same be removed or repaired.
- Animals.** 26. To regulate, tax, license, or suppress the keeping and going at large of all animals within the city, to impound the same, and in default of redemption in pursuance of ordinance, to sell or kill the same.
- Workhouse and inmates.** 27. To erect and organize a work-house in or near said city, and any person who shall fail or neglect to pay any fine or cost imposed on him, by any ordinance of said city, shall be committed to the workhouse until such fine and costs shall be fully paid.
- Public grounds.** 28. To provide for inclosing, improving and regulating all public grounds belonging to the city, in or out of the corporate limits.
- River.** 29. To improve and preserve the navigation of the Cumberland river within the city.
- Wharves.** 30. To erect, repair and regulate public wharves, docks, and landings, and to fix the rate of wharfage thereat, and to regulate ferries.
31. To regulate the stationary anchorage, mooring of vessels or rafts within the city.

32. To provide for the appointment of a police force, to impose fines, forfeitures, penalties and terms of imprisonment for the breach of any city ordinance, but no penalty shall exceed five dollars, and no term of imprisonment shall be for a longer term than three months for the same offense. Police.

33. To regulate and provide for the construction or repair of sidewalk and foot pavements, and if the owner or owners of any lot or lots shall fail to comply with the provisions of such ordinance, within such time as may be prescribed thereby, the board of public works and affairs may contract for the construction and repair of such sidewalks or pavements, and the city shall pay for the same, and the amount so paid shall be a lien upon said lot and may be enforced by attachment in law or equity, or the amount may be recovered against said owner by suit before any court of competent jurisdiction; to compel owners of buildings to erect fire escapes when necessary for safety of occupants. Sidewalks.

34. To grant the right of way through the streets, avenues and squares of said cities for the purpose of the street or other railroad. Street rail-roads.

35. To take and appropriate grounds for widening streets or parts thereof, or for laying out new streets, avenues, squares, parks or promenades, when the public convenience requires it, under the provisions of section 1338, and sections 1388, 1389, 1390 and 1391 of the Code. Property for public use.

36. To designate or provide for the appointment of an officer to preside in the city court.

SEC. 18. That the mayor and city council of cities are forbidden to make any appropriation of money or credit in the way of donation, festivities, pageants, excursions, or parades, nor shall they be authorized to subscribe for stock in any railroad company, or in any other corporation; or give or lend any money, aid or credit to any person or corporation whatever, and they are hereby prohibited from employing or appropriating the revenues and taxes in any other manner than for purposes strictly municipal and local, and according to the provisions of this Act. Forbidden fruit.

SEC. 19. That the city council of municipalities controlled by this act shall by ordinance determine the number of standing committees, the number of members of which each committee shall be composed, and shall designate the character and duties of each. The president of the city council shall appoint said committees. Said com- Committees.

mittees shall be appointed biennially as soon as practicable after the election of the president of the board. The mayor shall be ex officio a member of all standing committees, but shall not be entitled to a vote.

SEC. 20. That no municipality controlled by this Act shall exempt any property from taxation not exempt from State taxation.

Form of ordi-
nances.

SEC. 21. That all city ordinances shall begin by an enacting clause as follows: Be it enacted by the mayor and city council of (filling the blank with the name of the city,) and shall, at the end of the Act, contain the provision that "this ordinance shall take effect from and after its passage, the welfare of the city requiring it," otherwise the same shall not take effect until twenty days after the passage.

Tax limit.

SEC. 22. That the municipal corporation within the provisions of this Act shall have no power to levy in any one year, for ordinary corporation purposes, a higher rate of tax than one per cent of the assessed value of the taxable property within its limits, and the word ordinary is to embrace all expenses for fire, police, street, gas, water and all other purposes strictly municipal, excluding interest on debt and tax for sinking fund, or a tax to pay any judgment against the city, or in obedience to any *mandamus*, or expenses for schools, for which an additional levy may be made.

Budget.

SEC. 23. That it shall be the duty of the city council of such corporation, each year, within thirty days after the board of public works and affairs, which is hereinafter created, shall have submitted its estimate, to agree upon a budget for the expenses of the next ensuing year, which shall designate the officers of the corporation for the year, with the salary of each, and under general heads, such as streets, fire department, gas, schools, water, police, etc.; the subjects of corporation expenditures, and the estimated amount run out in figures of the probable expenditures for each purpose, including the amount expected from the State School Fund for schools. This budget shall be published in one of the newspapers of the city.

Penalties for
excessive ex-
penditures.

SEC. 24. That any mayor, councilman, officer or employee of the corporation, or other person entrusted with the collection or disbursement of the corporation funds, who shall knowingly violate any of the provisions of the two next preceding sections, or aid in such violation, or who shall create or aid in creating any liability of the corporation beyond the expenses as fixed by the budget

in the modes especially designated, shall be civilly liable to the corporation for the excess, and for any loss to the corporation, and on conviction shall be fined not less than \$25 and imprisoned in the county jail not less than one week.

SEC. 25. This Act is declared to be a public Act, and may be read in evidence in all courts of law and equity, and all ordinances, resolutions and proceedings of the city may be proved by the seal of the corporation attested by the recorder, and when printed and published by authority of the corporation, the same shall be received in evidence in all courts and places without further proof. Competent proof.

SEC. 26. There shall be a board of public works and affairs, composed of the members who shall be freehold electors and who shall have been *bona fide* residents of such city for two years prior to their election; they shall be elected by the city council of such city to serve for the term of six years, or until their successors shall be elected and qualified, provided that at the first election there shall be elected one member to serve for two years, one for four and one for six years, and the biennial election by said city council for the purpose of filling expirations as they occur, shall be on the first regular meeting of said city council in November of each year, or as soon thereafter as practicable; said election shall be *viva voce* upon call of the roll, and no person shall be elected unless he receive a majority of the votes of the entire board of the city council. No member or officer of said mayor and city council, nor any one related to the mayor or any alderman within the sixth degree of consanguinity or affinity under the civil law, shall be eligible to membership in said board of public works and affairs. Board of public works.

SEC. 27. That each member shall give bond with not less than three sureties to the satisfaction of the mayor and city council in the sum of not less than \$10,000 conditioned for the faithful performance of his duties, and the proper distribution of and accounting for all moneys coming into his hands in his official capacity, which sureties shall be required to justify in the aggregate to the amount of \$30,000 above all liabilities, and such bond shall be approved by the mayor and city attorney, filed with the recorder and enrolled by him in a book to be kept for the purpose of enrolling all official bonds, Bond of members.

SEC. 28. That the members of said board of public works and affairs shall devote their time and attention to the duties of their office, and shall not engage actively in any other business. The compensation of said board Duties and compensation.

of public works and affairs shall be fixed by the mayor and city council prior to their election; *Provided* that the amount of such salaries shall be uniform and subject to such change as the mayor and city council may from time to time, in their judgment, expressed by city ordinances deem advisable, and their salaries shall not be changed during their term of office.

Business
meetings.

SEC. 29. That said board of public works and affairs shall hold regular meetings, at least once in every week, and as much oftener as the business entrusted to its care shall require, and two members of said board shall constitute a quorum for the transaction of business; the ayes and noes shall be called and entered upon a journal upon the passage of every resolution or order of any kind, and no resolution or order shall be adopted unless two votes are recorded in its favor. Said meetings shall be held at stated times, and no call meeting shall be held until notice of the call meeting has been given by the recorder to each member, and no business shall be done at any call meeting unless such notice has been given.

Record of pro-
ceedings.

SEC. 30. That the board shall keep a complete record of all its proceedings, and a copy from its records, certified to by the clerk of said board, shall be competent evidence in all courts of this State.

Seats in coun-
cil.

SEC. 31. That the members of the board shall have seats in the city council of such city, and be entitled to take part in its proceedings and deliberations on all questions relating to matters under their charge, subject to such rules as the mayor and city council shall from time to time prescribe, but without the right to vote, and one of the board may be compelled to attend every meeting of the city council.

City officials
and employees
Public works.

SEC. 32. That the board shall have exclusive power to employ such chiefs or heads of departments, policemen, firemen, work-house employees, engineers, clerks, superintendents, laborers and other persons, as it may deem necessary for the execution of its duties, and fix their salaries and compensation; but the salaries of all such employees and agents, except common laborers, shall be fixed within limits prescribed by the mayor and city council, and any of them may be discharged at any time by the board of public works and affairs at their discretion. The board of public works and affairs shall not elect or employ or appoint or contract with any one who is related to any member of said board, or to the mayor or any alderman within the sixth degree of consanguinity or affinity under the civil law.

SEC. 33. That the board of public works and affairs shall have the exclusive power and control over the construction, supervision, cleaning, repairing, grading and improving of all streets, alleys, avenues, lanes, public wharves and landings, market houses and spaces, bridges, sewers, drains, ditches, culverts, canals, streams and water courses, sidewalks, curbing, and the lighting of all such public places as may be deemed necessary within the corporation; to fix and establish the grades of all streets and alleys, avenues and thoroughfares; they shall also have the power, supervision and control over the construction, repairing, cleaning, lighting and heating of all public buildings, and over all public improvements of such city or corporation. They shall have exclusive power to make all improvements and expenditures within the budget, which shall cost less than \$500, but shall let all contracts of over \$50 to the lowest responsible bidder. The said board shall have exclusive power to organize and control the police and fire department, the water works and its appurtenances, and the work-house of said cities. Public works.

SEC. 34. That the board of public works and affairs shall, on or before the day fixed in each and every year, prepare and submit to the mayor and city council of said city an itemized estimate of the amount of money necessary and advisable in their opinion to spend in the execution of the duties entrusted to them for the ensuing year, giving in detail the plans of construction, repairs and estimates of expenditures and salaries, etc., proposed by them, with the estimated cost of each improvement or salary, specifying for what department required, as streets, sewers, public buildings, police, water works, fire departments, and all departments of the city, etc.; and it shall be the duty of said mayor and city council, in their annual levy of taxes, to make such levy as in their judgment shall be necessary and advisable, and the amount so levied shall be collected and carried to the credit of the board of public works and affairs, and shall not be diverted from said board, or used by said mayor and city council for any other purpose, but the same shall remain as a separate fund in the hands of the treasurer of said city. Said board shall not divert the tax levy of the mayor and city council from the purposed or department for which it was levied.

SEC. 35. That when the board shall deem it advisable to make a contract for the execution of any work or purchase of any material for matters under its charge, a Contracts.

careful estimate shall be made of the cost of such work or material.

Expenditures over \$50. SEC. 36. That in all cases where the estimated cost of any expenditure exceeds five hundred dollars, the board shall transmit to the mayor and city council of said city, with its recommendations, an ordinance authorizing the said expenditures, with an estimate of the cost.

Lowest bidder. SEC. 37. That upon the passage by the mayor and city council of such ordinance, it shall be the duty of the board of public works and affairs to advertise and let the works to the lowest responsible bidder.

Form of contracts. SEC. 38. That all contracts of the board shall be made in the name of the mayor and city council of said city, executed in behalf of said mayor and city council by the presiding officer of the board, under the seal of the corporation and filed in the office of the board.

Liabilities created SEC. 39. That no member of the board or other person, whether in the employ of the board or otherwise, shall have power to create any liability on account of the board or the funds under its control, except by express authority of the board conferred at a meeting duly and regularly convened.

Insufficient tax levy. SEC. 40. That if at any time it shall appear, in the judgment of said board, that the levy made by the mayor and city council of such city for the current or ensuing year, for the use of the department of public works and affairs, is insufficient for properly conducting the affairs of the city and for constructing improvements and repairs of such things as are committed to their charge, consistent with the health, comfort and convenience of the inhabitants of such city, they shall so report to said mayor and city council, furnishing at the same time an estimate of such deficiency, on receipt of which it shall be lawful for said mayor and city council, in their discretion, to make such additional appropriation and proceed to make a special levy upon the taxable property, real, personal and mixed, within said city, taxable for State purposes, but not to exceed the limit provided by this Act.

Relatives excluded. SEC. 41. That no member, officer or employee of the board, nor any person related within the sixth degree by the civil law to any member of said board, or to the mayor or any alderman, shall be directly or indirectly interested in any contract or work of any kind whatever under its direction, and any contract for work or material in which any such person shall have an interest shall be void.

SEC. 42. That no money shall be paid at any time to any person claiming under a contract with the board, until such person shall have first filed with the board his statement, under oath, disclosing the names of all person, directly or indirectly interested in the contract or the proceeds or the profits thereof, declaring that no person, other than those named, are interested, and that no person forbidden by this Act has any interest in the same. Claims, how allowed.

SEC. 43. That when in the opinion of the board it shall become necessary in the prosecution of any work, to make alterations or modifications in the specifications or plans of a contract, such alteration or modification shall only be made by order of the board, and such order shall be of no effect until the price to be paid for the same shall have been agreed upon in writing and signed by the contractor and approved by the board. The total cost of the work, with the addition of the price so agreed upon, shall not exceed the original estimate. Alteration in plans.

SEC. 44. That no contractor shall be allowed any thing for extra work caused by an alteration or modification unless an order is made or an agreement signed as provided in the preceding section, nor shall he, in any case, be allowed more for such alteration than the price fixed by such agreement. Extra work.

SEC. 45. That the board shall publish all resolutions declaring the necessity of improvements and expenditures over \$500, but an ordinance authorizing such improvements or expenditures over \$500, must be passed by the mayor and city council on the recommendation of the board of public works and affairs, before the work is done, and the expenditure can be authorized. Resolutions for improvements

SEC. 46. That any member of the board may be removed from office for incompetency, inefficiency, neglect of duty or misconduct in office by a vote of three-fourths of all the members elected to the city council of such city. For the unexpired term such vacancy to be filled by election under the same rules as other elections of members of the board. Removals for incompetency, etc.

SEC. 47. That upon specific charges in writing and sworn to, being preferred against a member of the board of public works and affairs, the city council by a majority vote of the board, may suspend such member for ten days, and within ten days after the order of suspension the charges shall be tried by the said city council, unless the accused asks for further time, in which case ten more days may be given him. During the continuance, at the

Suspension
pending investigation of
charges.

request of the accused, his pay shall be stopped and deducted, but if the trial is delayed by the city council and not by the accused, then the suspension shall last ten days and no longer. Said city council shall have power by process issued by the president, to enforce the attendance of witnesses and the production of books and papers as evidence, to be executed by the marshal, and he shall have power to administer the necessary oaths. If a member of the board of public works and affairs shall be adjudged on such trial or inquiry to have been guilty of the charge against him, the said city council shall have the power to punish, by a three-fourths vote of the whole board, by dismissal from office, or by a majority vote on the call of the roll by further suspension as in their opinion the grade of offense deserves. The decision of the city council as to suspension or dismissal shall be final, and not subject to revision, and it shall be transmitted to the board of public works and affairs to be entered on its records. Vacancies occurring after trial of charges as herein provided, shall be filled as in the preceding section, and the city council shall have power to make temporary appointments to fill vacancies in the board of public works and affairs if a trial as herein provided is delayed at the instance of the accused. At the first meeting after their election, the board of public works and affairs shall, out of their number, elect a chairman. If they fail so to do the mayor shall appoint one of their number. He shall be chairman for two years.

Annexation.

Election to annex.

SEC. 48. Territory adjoining any corporation organized under this Act may be added thereto and included in the corporate limits thereof, as follows: Twelve citizens, resident freeholders in the territory proposed to be added and included in the corporate limits of the city, shall sign a petition in writing, under their signatures, in which shall be described by metes and bounds the particular territory proposed to be added and included, and shall submit the same to the mayor and city council of said city, for consent and approval. If the city authorities aforesaid consent, and a majority of the citizens who are legally qualified voters in the territory consent, the said territory shall become a part of said corporation. To test the sense of the votes in said territory and obtain their consent, or the consent of the majority of them, an election shall be held at some convenient and public place in said territory, and each voter entitled to vote for members of the General Assembly, who shall have resided in said territory for more than six months, and each non-

resident freeholder who shall be a citizen of the State, and shall have owned a freehold in said territory for six months previous to said election, shall be a qualified voter, and no other shall be. The sheriff of the county in which the corporation is situated shall hold the election; shall give twenty days notice of the time and place and purpose of the election, and shall appoint judges and clerks to aid in said election, and shall make a return of the result to said city authorities, and if a majority of the qualified voters be in favor of the addition and incorporation with the city, then said territory shall become a part of said city.

SEC. 49. The entire police shall be under the exclusive management and control of the board of public works and affairs, and shall be known and designated as the metropolitan police. The number and compensation of the metropolitan police force shall be fixed by the mayor and city council by ordinance. Powers.

SEC. 50. The metropolitan police shall possess all the common law and statutory powers of constables except for the service of civil process, and every warrant for such or the arrest by the officer holding the city court, may be executed by any member of the metropolitan police. Powers.

SEC. 51. It is hereby made the duty of the metropolitan police force, at all time sof the day and night, and the members thereof are accordingly hereby hereunto appointed to especially preserve public peace, prevent crime, detect and arrest offenders, suppress riots, protect the rights of persons and property, guard the public health, preserve order at elections, see that nuisances are removed, suppress and restrain disorderly houses, houses of ill fame and gambling houses, to assist, advise and protect strangers and travelers in public streets, or at steamboat landings, or railroad stations, enforce every law relating to the suppression and punishment of crime, or to the public health, or to disorderly persons, or any ordinance or resolution of the city council in relation to police, health or criminal procedure. Duties.

SEC. 52. The several members of the police force shall have power and authority to immediately arrest, without warrant, and take into custody any person who shall commit, or threaten or attempt to commit, in the presence of such member, or within his view, any breach of the peace or offense directly prohibited by Act of the Legislature, or by any ordinance of the city council; but such member of the police force shall immediately, and without delay, upon such arrest, convey in person such offender Arrests.

before the proper officers, that he may be dealt with according to law, and the officer making such arrest shall at once, without delay, report the arrest and the alleged cause to his superior officer.

Workhouse. SEC. 53. Every person committed to the work-house shall be required to work for the city at such labor as his health and strength will permit, within or without said city, not exceeding ten hours each day; and for such work and labor, the person so employed shall be allowed, exclusive of his board, a credit upon such fine and cost at seventy-five cents per day until the whole is discharged, when he shall be released; no person shall be compelled to work longer than three months for any one offense.

Assessment and collection of taxes. SEC. 54. All property real, personal and mixed, which is subject to State taxes, shall be assessed and listed for taxation in the name of the owner or reputed owners, alphabetically for the entire city, without reference to wards. The assessments shall be made under the laws by which such property is assessed for State and county purposes, except as herein modified, but by an assessor to be elected by the city council of said corporation, who shall have the same powers as are conferred by law upon assessors of State and county taxes. Privileges shall be taxed and collected as may be provided by city ordinances. Taxes and privileges due to said cities shall be payable to and collected by such officers as the mayor and city council may by ordinance designate. Collectors of taxes on property and privileges in said cities shall have power to issue distress warrants, and *alias* and *pluries* distress warrants in the names of the mayor and city council of — to enforce collections; the same may be executed by a city marshal or any constable or sheriff. Compensation and bonds of assessors and collectors shall be regulated by city ordinances. Property omitted from the assessment lists, may be assessed by the collector in office for a period running back not longer than three years. The mayor and city council of said cities are empowered to provide by ordinance for correction of erroneous assessments and for any defects in the assessments. The mayor and city council shall have the power to grant reductions of assessment, but not for a longer term than three years prior to the application for reduction. Assessed taxes on realty shall be and remain a lien on the property assessed until the same are paid. Such lien may, after return of *nulla bona* on a distress warrant, be enforced as other liens. Collectors shall not make sales of realty and cer-

Privileges.

Pay of assessors.

Reduction of assessments.

tify the same to the circuit court, but unpaid taxes after return of *nulla bona* shall be collected either by suit at law or in equity. Unpaid taxes

SEC. 55. There shall be prepared and published by the city council, within one year after the passage of this Act, and one in every three years, a digest of all the ordinances and resolutions of public nature in force. City Digest.

SEC. 56. That the share of the State and county school fund to which the citizens of cities, chartered under this Act, are entitled, shall be paid over by the county trustee to the trustees of said cities respectively. School funds.

SEC. 57. The officers, designated by ordinance to hold the city court, shall have the power and exercise the functions of, and have concurrent jurisdiction with a justice of the peace. He shall have exclusive power to pardon and release persons convicted by him under city ordinances. In case of absence or inability any justice of the peace may hold said court, which shall be hereafter known by the name of the city court, and all process shall be issued in the name of the mayor and city council of ——. City Court.

SEC. 58. That the title, right and ownership of all property and all uncollected taxes, dues, claims, judgments, decrees and choses in action belonging to, held or owned by any city, the charter of which has been repealed by an act entitled, "An Act to repeal the charters of all municipal corporations in the State of Tennessee, having a population of thirty-six thousand and upwards," passed by the present Legislature, shall be and are hereby transferred to and vested in the corporation chartered by and organized under this Act, which shall supersede each respectively with full power to enforce all rights of the corporation which it supersedes. Public property.

SEC. 59. That each corporation created under this Act shall answer and be liable for all the debts, contracts and obligations of the corporation to which it succeeds, the same manner and proportion to the same extent as said corporation is liable under existing laws. Debts of old corporation.

SEC. 60. That all laws and parts of laws in conflict with this Act are hereby repealed.

SEC. 61. That this Act take effect on the second

Thursday in October, 1883, at 8 o'clock, A. M., the public welfare requiring it.

Passed March 21, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 27, 1883.

WM. B. BATE,

Governor.

CHAPTER CXV.

AN ACT to create a Board of Assessors for the purpose of assessing all property for municipal purposes, in municipal corporations in this State having a population of not less than 8000 nor more than 20,000, according to the census of 1880.

Power to assess SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That each municipal corporation in this State having a population of not less than eight thousand nor more than twenty thousand, according to the census of 1880, shall have the right and power, and is hereby made their duty to assess all property within its corporate limit, be the same real, personal or mixed, that is by law subject to taxation, and polls, for municipal purposes.

Board of assessors. SEC. 2. *Be it further enacted,* That it shall be the duty of each, board of mayor and aldermen or city council, of the municipal corporations affected by this Act, at their first regular meeting, and within thirty days from the passage of this Act, to elect from the resident citizens of such city or town, who shall be freeholders and who have resided within the limits of said city for two whole years immediately preceding their election (but not the mayor or any of the aldermen or city council), three persons who shall be known as the Board of Assessors of said city or town, and whose duty it shall be to assess for taxation all the property and polls subject to taxation within the corporate limits, and who shall hold their of-

fices as follows: One for the term of one year; one for two years, and one for three years and until their successors are duly elected and qualified, and annually thereafter the said board of mayor and aldermen or city council shall elect one member for three years in place of the member retiring, provided that any vacancy occurring by the death, resignation, disqualification by removal from the city limits, or loss of property, qualification or removal from office, may be filled at any time by the board of mayor and aldermen or city council, the person elected to fill the vacancy shall have all the qualifications required, and shall serve the unexpired term of his predecessor and until his successor is duly elected and qualified. All of said assessors shall be subject to removal from office by the board of mayor and aldermen or city council for non-feasance, malfeasance or misfeasance in office.

Term and
election.

SEC. 3. *Be it further enacted*, That said board of assessors shall, before proceeding with the discharge of their duties, take and subscribe before the recorder of their respective cities or towns, an oath to faithfully and honestly discharge the duties of their office, and to assess all the property without fear, favor or affection, and according to its true value. The compensation for such services shall be fixed by the board of mayor and aldermen or city council and be paid out of the city treasury.

Oath—pay.

SEC. 4. *Be it further enacted*, That in assessing the property situated within the corporate limits, the said board of assessors shall be governed by the provisions of the law now in force in this State, or as the same may be from time to time changed by the General Assembly relative to the assessment of property for State and county purposes, in so far as the same may be applicable for municipal purposes, and the said assessor shall be required to make out their assessment rolls within the time required by law of assessors for State and county purposes, except that for the year 1883, they shall have until the first of August, 1883, provided that the property exempt under the laws of this State from taxation for State and county purposes shall also be exempt from taxation for municipal purposes, and no other property shall be exempt. Said board of assessors shall certify the assessment of property and polls by them made to the board of mayor and aldermen, and the recorder of the city shall furnish the assessment so returned or a copy thereof to the trustee of the county, to the end that he may, as now provided by law, proceed to collect the taxes due thereunder and

Laws governing
assessment.

in accordance with the rate of taxation fixed by the board of mayor and aldermen or city council under existing laws.

Errors and omissions. SEC. 5. *Be it further enacted*, That if it shall appear at any time, that any property within the corporate limits and subject to taxation, have been omitted by said board of assessors, or that the valuation placed thereon by said board of assessors is too low or too high, and not in accordance with the true value thereof, said board of assessors shall have the right to assess such property omitted, and re-assess such property as may have been assessed too low, at any time after the original assessment is made, and if the term of service of the board of assessors as composed at the time of assessment should have expired at the time the mistake is discovered, then it shall be the duty of any succeeding board of assessors to make the assessment rendered necessary by the omission or mistake, and the corrected assessment shall be certified to the recorder, and by him to the county trustee, in the same manner as provided for original assessments.

SEC. 6. *Be it further enacted*, That this Act shall go into effect from and after its passage, the public welfare requiring it.

Passed March 22, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 26, 1883.

WM. B. BATE,

Governor.

CHAPTER CXVI.

A BILL to be entitled An Act to change the line between the counties of Monroe and McMinn.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between the counties of Monroe and McMinn be so changed and the same is

hereby changed so as to include all the lands of H. B. Yarwood and Frank Keith in the county of Monroe.

Passed March 22, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 26, 1883.

WM. B. BATE,
Governor.

CHAPTER CXVII.

AN ACT to repeal sections 14, 15, 16 and 17 of an Act entitled An Act to incorporate the town of Wetmore, and to encourage manufactures, and for other purposes.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That sections 14, 15, 16 and 17 of an Act passed March 3d, 1854, entitled An Act to incorporate the town of Wetmore, and to encourage manufactures, and for other purposes, be and the same are hereby repealed.

SEC. 2. *Be it further enacted,* That this act take effect from and after its passage, the public welfare requiring it.

Passed March 22, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 26, 1883.

WM. B. BATE,
Governor.

CHAPTER CXVIII.

AN ACT to change the line between the counties of Cocke and Hamblen.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between Cocke and Hamblen counties be so changed as to include in the county of Cocke the lands of the heirs of James Talley, known as the Talley Island in the Chucky River.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

. Passed March 22, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 26, 1883.

WM. B. BATE,

Governor.

CHAPTER CXIX.

AN ACT to amend the charter of the town of Ripley.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That sections seven (7) to seventeen (17) inclusive of Chapter seventy-four (74) of the Private Acts of 1857-8 whereby the town of Ripley was incorporated, be and the same is hereby so amended as to confer upon the board of mayor and aldermen of said town, in addition to the powers they now possess, authority to make and by appropriate penalties to enforce such by-laws and ordinances as may be necessary and proper to preserve the property of said town from destruction and injury by fire and to this end to prohibit the erection of buildings and structures of whatever

kinds of wood or other combustible material in such districts and portions of said towns as to them shall seem proper and said board shall also have power to make ordinances declaring buildings or structures put up in said town contrary to such ordinances so made for the protection of its property, to be nuisances, and to abate the same and to punish for the perpetration or continuance of such nuisances.

SEC. 2. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 22, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 26, 1883.

WM. B. BATE,

Governor.

CHAPTER CXX.

AN ACT to abolish the charter of the town of Troy.

Be it enacted by the General Assembly of the State of Tennessee, That the charter incorporating the town of Troy, in the county of Obion, be and the same is hereby abolished.

Passed March 22, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 26, 1883.

WM. B. BATE,

Governor.

CHAPTER CXXI.

AN ACT to change the line between the counties of Gibson and Crockett.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between the counties of Gibson and Crockett be so changed as to embrace all the lands of James Lewis now in the county of Gibson and attaching them to the county Crockett.

SEC. 2. *Be it enacted*, That this Act take effect from and after its passage, the public welfare requiring it..

Passed March 23, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 26, 1883.

WM. B. BATE,

Governor.

CHAPTER CXXII.

AN ACT to change the county line between the counties of Clay and Pickett counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county line between Clay and Pickett county be so changed as to include the lands of F. M. Taylor and the lands of the Taylor heirs, to wit: Commencing on the north boundary line of F. M. Taylor, at the Clay county line, and run westward with his line to his western boundary line, about ten poles; then south with his line about fifty poles so as to include all the lands of said F. M. Taylor and the lands of Taylor heirs in Pickett county, the amount of said lands not being more than about thirty acres, and that all laws in conflict with this Act, be and the same hereby

repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 27, 1883.

WM. B. BATE,

Governor.

CHAPTER CXXIII.

AN ACT to amend an Act entitled "An Act to collect and dispose of the taxes assessed for municipal corporations in this State whose charters have been or may be repealed, or which may surrender their charters, and to provide for the compromise and make settlement of the debt of such extinct municipal corporations respectively," passed 13th of March, 1879.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section 5 of the Act, Chapter 92, passed 13th of March, 1879, entitled "An Act to collect and dispose of the taxes assessed for municipal corporations in this State whose charters have been or may be repealed, or which may surrender their charters, and to provide for the compromise and make settlement of the debts of such extinct municipal corporations respectively," be and the same is hereby so amended as to read as follows, viz: That the back taxes imposed in obedience to writs of *mandamus* from the State and Federal Courts, for the payment of judgments against such municipality, shall be collected in lawful money of the United States, and all other back taxes may be paid in the valid bonds of such municipality, whether due or not, and in the due coupons therefrom, and in the ledger balances due creditors of such municipality, and in the certificates of indebtedness, funding certificates, paving certificates, and paving change certificates issued by such municipality, and in the receipts for money paid by back tax payers to paving contractors or to the said municipality

for Nicholson or stone paving done under former laws and ordinances, authorizing front foot assessments for paving, and in any other valid indebtedness of such municipality, with accrued interest on all such indebtedness if there be interest, and the back tax collector and receiver is hereby required to accept the same in the payment of said taxes at the following rates: the valid bonds known as the Flippin compromise bonds, whether due or not, and the due coupons therefrom shall be received at double their face value; other valid bonds, whether due or not, and the due coupons therefrom and ledger balances, certificates of indebtedness, paving certificates, paving change certificates, receipts for money paid by back tax-payers to paving contractors, or to such municipality for Nicholson or stone paving done under former laws and ordinances, authorizing front foot assessments for paving, and any other valid indebtedness of such municipality shall be received at their face value; that is, one dollar of such indebtedness shall be required to pay one dollar of taxes; and such indebtedness shall be received in payment of said taxes at said rate, whether before or after judgments or decree against the delinquent taxpayer or by way of set off against said taxes, whether acquired before or after suit brought against such delinquent. But before being required to receive any indebtedness for taxes, the receiver may, if he choose, and if he suspect the debt not valid, or if any creditor gives him notice it is not, then before taking it he shall, on motion in the general suit, have the question settled by the Chancellor, whether such indebtedness is valid or not, provided that compromise bonds issued in lieu of any bonds which have been pronounced invalid by the Supreme Court of this State, shall be excluded so far as such invalid bonds shall compose the whole or a part of such compromise bonds, and compromise bonds issued in whole or in part, in lieu of bonds liable by implication on account of over issue or otherwise, to a similar decision of the Supreme Court of this State, shall not be received so far as they may be composed in whole or in part of such suspected bonds, until the validity of such suspected bonds shall be determined by the Supreme Court of this State; *And provided further*, that no bonds shall be received before maturity, from which the immature interest coupons are detached, and nothing shall be allowed for immature interest; *provided further*, that the receiver shall not question the validity of any indebtedness of such extinct municipality that may be funded or recognized

under any Act that may be passed for the settlement of the debt of such extinct municipality; *And provided further*, that when any indebtedness of such extinct municipality shall be hereafter funded into new bonds at fifty cents on the dollar, such new bonds and matured coupons thereon shall be received in payment of the back taxes due such extinct municipality at the same rate as herein provided for the Flippin compromise bonds. All evidences of indebtedness taken by the receiver in payment of taxes shall be cancelled by him as soon as it comes into his hands, under the supervision of the Chancellor, and in such manner as he may direct; *Provided, however*, that the Chancery Court of any county in which is situated the territory which was embraced in the limits of any municipality now extinct, shall have power to reduce assessments upon property made under the authority of such municipality before its charter was repealed or ceased to exist, when it shall appear to it that such assessments are excessive in view of the present value of said property, and when the assessments on said property for State or county purposes have been or may be reduced by the County Court of the county in which the territory of such extinct municipality is situated, such reduction shall, if brought to the attention of said court, by proper evidence, be *prima facie* sufficient for it to adopt and act upon the assessment as thus reduced in enforcing such taxes.

SEC. 2. *Be it further enacted*, That section 8 of said Chapter 92, passed 13th of March, 1879, be and is hereby so amended as to authorize the Chancery Court to allow to the receiver and back tax collector in addition to his salary as fixed by said section for performing the duties of receiver and back tax collector, reasonable compensation for such legal service as he may heretofore have rendered, or may hereafter render, in defense of suits against or prosecution of claims by such extinct municipality.

SEC. 3. *Be it further enacted*, That section 9 of said Act be so amended as to authorize the receiver and back tax collector to employ two clerks at a compensation not exceeding two hundred dollars per month for the two during the time they are actually employed.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 27, 1883.

WM. B. BATE,
Governor.

CHAPTER CXXIV.

AN ACT to change the county line between the counties of Marshall and Rutherford.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county line between the counties of Marshall and Rutherford be so changed as to include in the county of Marshall fractions of the farms of S. B. Holt and J. A. Joice which now lie in the 8th civil district of the county of Rutherford.

SEC. 2. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be and the same are hereby repealed.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring the same.

Passed March 23, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 27, 1883.

WM. B. BATE,
Governor.

CHAPTER CXXV.

AN ACT to change the line between the counties of Hardeman and Fayette.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between the counties of Hardeman and Fayette be and the same is hereby changed as follows: Beginning at the point where the south line of the land, owned by E. Chambers, crosses said line and run west 70 poles, then north 78 poles, then west $102\frac{1}{2}$ poles, then north 214 poles, then east 136 poles, then north 165 poles, then east 22 poles to the said county line, so as to include the land now owned by E. Chambers, R. H. Beard and J. W. Bass within the limits of the county of Hardeman.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 28, 1883.

WM. B. BATE,

Governor.

CHAPTER CXXVI.

A BILL to be entitled An Act to amend Chapter ninety-three (93) of the Acts of 1873.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the proviso to section 1 of an Act passed March 21, 1873, and approved March 24, 1873, said act being Chapter ninety-three (93) of the Acts of 1873, be and the same is hereby so amended as

to read: *Provided*, such lien is enforced in ten (10) months from the birth of such offspring; the lien to be enforced as the landlords' lien is now enforced.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 28, 1883.

WM. B. BATE,
Governor.

CHAPTER CXXVII.

AN ACT to repeal An Act passed the 24th March, 1875, creating County Judge for the county of Jackson.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee.* That an Act passed 24th March, 1875, Chapter 134, providing for and the electing of County Judge for the county of Jackson, be and the same hereby repealed, and the County Court shall perform all the duties as heretofore prescribed by the Code for such courts.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 28, 1883.

WM. B. BATE,
Governor.

CHAPTER CXXVIII.

AN ACT to amend an Act passed March 23, 1881, and approved March 30, 1881, and the Act amendatory thereof, passed April 25, 1882, and approved April 26, 1882, entitled An Act to regulate the working and laying out of public roads.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Article 1, Chapter 6, of the Code of Tennessee, from sections 1182 to 1193 inclusive, establishing, changing and discontinuing Public Roads and Ferries, be and the same is hereby re-enacted, revived and restored to full force and effect. Code, sections re-enacted.

SEC. 2. *Be it further enacted*, That it shall be the duty of the County Court, in each county of the State, at the first quarterly term after the passage of this Act, to divide the counties into road districts, and to elect one road commissioner for each road district, who shall hold his office for one year and until his successor is elected and qualified; said commissioner shall have control of the highways and bridges in his district, and shall have general supervision over the road overseers of his district, and direct the manner of working the roads, and it shall be the duty of the Overseers to work the public roads as directed by the commissioner. Road commissioners.

SEC. 3. *Be it further enacted*, That said commissioner, before entering upon the duties of his office, shall subscribe to an oath before the County Court Clerk, or before some Justice of the Peace, to be filed by him with said Clerk, that he will, to the best of his ability, discharge all the duties of his office, and properly account for all money and other property which may come into his hands by virtue of his office, and shall give bond, payable to the State of Tennessee, with two or more good securities, in such sum as the County Court may order, for the faithful performance of his duties; said bond to be filed with the County Court Clerk and enforced and collected as other official bonds. Upon failure or refusal of the commissioner to give bond, as above provided, the Trustee shall pay out the highway tax due the road district of such commissioner on the written order of the commissioner. Commissioners qualify.

SEC. 4. *Be it further enacted*, That said commissioner shall, by the 25th day of December in each year, render to the Chairman of the County Court an itemized state- Statement to County Court.

ment in writing, showing the amount of highway tax, received by him, amount paid in work, and the amount paid in money, how the money has been expended, and the amount on hand, which statement with all vouchers shall be filed with the office of the County Court Clerk.

Tax shall be collected by the trustee.

SEC. 5. *Be it further enacted*, That the public road or highway tax levied under the provisions of the Act approved March 30, 1881, shall be collected by the County Trustee of the respective counties at the same time and the same manner as the State and county taxes are collected; the Assessor and Collector's books shall have columns ruled for the extension of said tax, and the Trustee be allowed the same compensation for collecting said tax that he is now allowed for collecting and paying out school tax.

Trustee's accounts.

SEC. 6. *Be it further enacted*, That the County Trustee shall keep an account with each road district of the taxes collected for, and paid out for each district, and shall pay over the highway tax as fast as collected to the road commissioner of the district, and take his receipt therefor.

Time to commute in work.

SEC. 7. *Be it further enacted*, That all the tax-payers, under the provisions of said Act, shall have until the first day of October in which to commute for that part of the tax which may be paid in work. On or before said date in each year, the overseers shall furnish to the County Trustee a list, to be subscribed to by him, of all tax-payers subject to work on his road, who have in whole or in part commuted their tax by work, with the amount commuted for, and the Trustee shall give such parties credit for the same on his books.

Timber to repair roads.

SEC. 8. *Be it further enacted*, That all overseers shall, before taking any timber for the use of the public roads, go to the owner of such timber as is required for repairing or keeping up public roads, and make a contract for such timber, and receipt the owner therefor, and the same shall be paid by the road commissioner of the district, out of the highway-tax, if sufficient, and if not, said receipt, when presented to any quarterly term of the County Court, shall be paid as other claims against the county: *Provided, however*, that the owner shall receive in no case a sum exceeding the market value of the timber.

Suits against delinquents.

SEC. 9. *Be it further enacted*, That all suits against delinquent parties for failure to work on public roads, shall be prosecuted in the name of the road commissioner of the district, and there shall be no property of any de-

scription whatever, exempt from execution for the payment of all fines and costs so recovered, and in such cases the overseer is a competent witness to prove service of notice.

SEC. 10. *Be it further enacted*, That in all suits prosecuted by the commissioner in good faith, with the advice of the Attorney-General, to enforce the laws against delinquent hands, if decided against him, the costs shall be paid out of the highway tax, if sufficient, and if not, out of the county treasury. Costs of suits.

SEC. 11. *Be it further enacted*, That the offices of district clerk and treasurer, as provided for in said Act, be, and the same is hereby repealed. Clerks abolished.

SEC. 12. *Be it further enacted*, That if the overseer fail to perform any of the duties enjoined on him by law, he shall be subject to presentment or indictment, and shall be fined, on conviction, not exceeding the sum of fifty dollars. Overseer's failure.

SEC. 13. *Be it further enacted*, That the overseers shall work on their respective roads a sufficient number of days to keep them in good repair, not to exceed ten days in any one year. Ten day's work.

SEC. 14. *Be it further enacted*, That the streets of unincorporated towns shall be considered public highways, subject to all the provisions of this Act. Highways in towns.

SEC. 15. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 26, 1883.

WM. B. BATE,

Governor.

CHAPTER CXXIX.

AN ACT to change the county line between the counties of Grainger and Union counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county line between the counties of Grainger and Union counties be so as to run as follows, to wit: Beginning on the county line between the counties on the top of Log Mountain, running eastward with the top of said mountain to the corner of William Hollingsworth's farm; thence northwardly with said Hollingsworth's line to Hogskin Creek; thence with said creek to Clinch River; thence from said river to the Union county line.

SEC. 2. *Be it further enacted*, That all laws and parts of laws in conflict with the provisions of this Act be and the same is hereby repealed.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 21, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 27, 1883.

WM. B. BATE,

Governor.

CHAPTER CXXX.

A BILL to repeal the charters of all municipal corporations in the State of Tennessee, having a population of thirty-six thousand and upwards, under the Federal census of 1880.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the charter of all municipal corporations in the State of Tennessee, having a population of thirty-six thousand inhabitants and upwards, ac-

cording to the Federal census of 1880, are hereby repealed, and the following Acts appertaining thereto, to-wit: An Act entitled "An Act to provide for the increase and diminution of the powers of municipal corporations having a population of not less than twenty thousand or more than forty thousand inhabitants, passed March 17, 1875." Also an Act entitled "An Act to reduce the several Acts incorporating the town of Nashville into one Act, and to amend the same passed January 31, 1848." Also an Act entitled "An Act to amend the charter of the city of Nashville, passed February 22, 1856." Also an Act entitled "An Act to amend the charter of the city of Nashville, passed February 23, 1856." Also an Act entitled "An Act to abolish the metropolitan police system of the city of Nashville as at present established, passed November 5, 1869." Also sections 5 and 6 of an Act entitled "An Act to repeal the charter of the city of Edgefield and extend the boundaries of the city of Nashville for the improvement of her sanitary condition, passed December 22, 1879." Also the sections 3 and 4 of an Act entitled "An Act to amend section 337 of the Code, so as to authorize the election of two justices from each of the wards of the city of Nashville, and to amend the charter of said city," passed March 23, 1860, so far as the same provides for extending corporate boundaries. Also that sections 35, 36 and 37 of an Act entitled "An Act to reduce the several Acts incorporating the city of Columbia into one Act, and to amend the same passed February 25, 1869." Also sections 12, 13, 14, 15, 16 and 17 inclusive, entitled "An Act to amend an Act entitled an Act to reduce the several Acts incorporating the town of Nashville into one Act, and to amend the same," passed January 31, 1848. Also Chapter 107, Acts of 1867-68, passed March 16, 1868. Also Chapter 87, Acts of 1879, passed March 11, 1879, and all other laws and parts of laws in conflict with this Act, be and the same are hereby repealed.

SEC. 2. That the title, rights and ownership of all property, uncollected taxes, dues, claims, judgments, decrees and choses in action held or owned by any city whose charter is repealed by this Act, shall pass to and be vested in the corporation which may be chartered and organized to supercede it.

SEC. 3. This Act shall not be so construed as to impair the obligation of any existing contract into which such corporations have heretofore entered, and the debts and obligations of such corporations shall be a charge

upon the territory included in said corporation, and shall become the valid and binding obligations of the successors to said corporations in the same manner and proportion, and to the same extent as the corporations repealed by this Act are now liable.

SEC. 4. That the officers of such corporation shall continue to discharge the duties of their respective offices until the officers of the new municipal corporation succeeding to the same territorial limits have been elected and have qualified; and all city ordinances in force in cities whose charters are hereby repealed, shall continue in force, and have the effect of laws in each of said cities respectively until repealed or amended by the succeeding city government.

SEC. 5. That all laws and Acts and parts of Acts in conflict with this Act are hereby repealed, and that this Act take effect from and after 8 o'clock A. M., on the second Thursday in October, 1883, A. D., the public welfare requiring it.

Passed March 21, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 26, 1883.

WM. B. BATE,

Governor.

CHAPTER CXXXI.

A BILL to be entitled An Act to make it a felony for the officers of insolvent banks to receive on deposit.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it is hereby made a felony for any president, cashier or other person having the control or management of any bank in this State to receive in on deposit any money in the bank with which he is connected as such president or cashier of which he controls or manages, when he knows or has good reason

to believe the bank to be insolvent, and the money so deposited is lost by the insolvency of the bank.

SEC. 2. *Be it further enacted*, That the punishment for a violation of the first section of this Act shall be imprisonment in the penitentiary for a term of not less than two nor more than ten years.

Passed March 21, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 26, 1883.

WM. B. BATE,
Governor.

CHAPTER CXXXII.

AN ACT to better secure the public funds in the State Treasury.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Treasurer, when depositing funds of the State as provided in Code, section 230, shall take from the bank triplicate certificates of deposit, one of which he shall deliver at once to the Comptroller and Governor, and it shall be the duty of the Comptroller to see that such deposit is made.

2d. The Treasurer shall not permit the deposits in any one bank to exceed one-fourth of the capital stock of such bank, and the Treasurer shall have power, with the consent of the Comptroller, to transfer the funds of the State from one depository to another, when in their opinion it shall be to the interest of the State, or for the better security of the fund so to do. In making such transfer, the check shall be drawn payable to the bank to which the deposit is to be transferred, and shall recite that it is for the purpose of transferring the funds, and shall be signed by the Treasurer and countersigned by the Comptroller.

3d. The Treasurer shall on the 1st day of January, April, July and October, of each year, make to the Gov-

ernor a complete statement of all moneys received by him from every source, during the preceding three (3) months, and all moneys paid out by him during same period and on what account, and show the amount on hand at date of statement and where it is deposited, and shall file the certificates from the various depositories showing the amount held by each. This statement shall be verified by the Comptroller, shall be published six consecutive days in one daily newspaper at Nashville, one at Knoxville, and one at Memphis, Tennessee, the expense of such publication to be paid out of the State Treasury, on warrant of Comptroller.

SEC. 4. *Be it further enacted*, That the Treasurer show in the check, drawn by him on State depositories, for what purpose on what account the money is paid, and to whom payable.

This Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 5, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 27, 1883.

WM. B. BATE,

Governor.

CHAPTER CXXXIII.

AN ACT to repeal an Act entitled "An Act to establish the town of Williamsport in Maury county," passed November 24, 1819.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act entitled "An Act to establish the town of Williamsport, in Maury county," passed November 24, 1819, be and the same is hereby repealed, together with all Acts and parts of Acts amendatory thereof.

SEC. 2. *Be it enacted*, That this Act take effect within 30 days after its passage, the public welfare requiring it.
Passed March 22, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 26, 1883.

WM. B. BATE,
Governor.

CHAPTER CXXXIV.

AN ACT to amend the charter of all municipal corporations in this State who shall accept the provisions thereof, so as to make the term of office of the mayor and aldermen two years instead of one year.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That at the next regular election of any municipal corporation in this State, accepting the provisions of this Act as hereinafter provided, to fill the office of mayor and aldermen, the mayor shall be elected to serve for the term of two years, and until his successor is regularly elected and qualified, and when two aldermen are to be elected from each ward, that the person receiving the highest number of votes at said election shall be declared elected for two years, and the person receiving the next highest number of votes shall be declared to be elected for one year, and at each subsequent annual election following there shall be but one alderman elected, and he for the term of two years, it being the intent and meaning of this Act that one-half of said aldermen be elected annually for the term of two years.

SEC. 2. *Be it further enacted*, That the provisions of this Act shall not apply to any town or city in this State until the same shall have been accepted as an amendment of their charter by a vote of the mayor and aldermen or city council, a majority of all elected concurring.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 22, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 26, 1883.

WM. B. BATE,

Governor.

CHAPTER CXXXV.

AN ACT to cede to the United States exclusive jurisdiction of Blocks B. and C. in Fort Pickering near the Taxing District of Shelby county, purchased and condemned as a site for the erection of a Government Marine Hospital at the port of Memphis, Tennessee.

WHEREAS, The United States of America have obtained decrees of condemnation in the Circuit Court of the United States, at Memphis, Tennessee, for Blocks B and C in Fort Pickering near the Taxing District of Shelby county, Tennessee, (formerly the city of Memphis,) containing about five acres, and bounded on the north by Walker street, on the east by Armstrong street, on the south by Coffee Street, and on the West by the batture or Mississippi River Front, and so designated on the plan of the Fort Pickering addition to the city of Memphis, as well as on the plan of Willoughby Williams, recorded in the office of the Register of said county in Plat Book No. 1, pages 5½, 6, 7 and 8, as a site for the erection thereon of a Government Marine Hospital; and

WHEREAS, The United States of America have paid in lawful money to the late owners of said Block B. and C. the damages by them respectively sustained by reason of the said condemnation for the purposes aforesaid, as ascertained by said Court, and by agreements of said respective owners with the United States of America, as to the value of said lands, therefore

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That exclusive jurisdiction over the said tract or parcel of land with all the appurtenances thereto belonging, so as aforesaid condemned and purchased as a site for a Government Marine Hospital, including all buildings erected, and to be erected thereon, be and it is hereby ceded and granted to the United States of America by the State of Tennessee. Jurisdiction ceded.

SEC. 2. *Be it further enacted*, That said lands with the appurtenances thereto belonging, together with all buildings erected and to be erected thereon by the United States of America, and improvements made thereon by them, be and they are hereby entirely exonerated and free from any taxation or assessment by the authority of the State of Tennessee, or of any county or municipality therein, while the same are used, owned or occupied by the United States of America, their officers or agents, for public purpose aforesaid, or for any public purpose; and no process of any court of this State shall be permitted against the same, or in any way dispossess any of the officers or agents of the United States of America. Exempt from taxation.

SEC. 3. *Be it further enacted*, That this Act shall take effect and be in force from and after its passage, the public welfare requiring the same.

Passed March 22, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 26, 1883.

WM. B. BATE,

Governor.

CHAPTER CXXXVI.

AN ACT to prevent the owners of billiard, bagatelle or pool tables permitting minors to play thereon, and affixing a penalty therefor.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That it shall be unlawful for any person engaged regularly or otherwise in keeping bil-

No cue for
minors.

Written con-
sent.

Penalty.

Private tables.

liard, bagatelle or pool rooms or tables, their employees, agents, servants, or other persons for them, knowingly to permit any person under the age of twenty-one years to play on said tables at any game of billiards, bagatelle, pool, or other games requiring the use of cue and balls, without first having obtained the written consent of the father and mother of such minor, if living; if the father be dead, then the mother, guardian, or other person having legal control of such minor, or if the minor be in attendance as a student at some literary institution, then the written consent of the principal or person in charge of such school.

SEC. 2. *Be it further enacted*, That any person or persons violating the provisions of this Act shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than ten, nor more than two hundred dollars.

SEC. 3. *Be it further enacted*, That the several judges having criminal jurisdiction shall give this Act in charge to the grand juries.

SEC. 4. *Be it further enacted*, That nothing herein contained shall be so construed as to apply to the use of billiard, bagatelle and pool tables kept by private parties, and used in private families, and inquisitorial power shall be and is hereby given to grand juries for the enforcement of this Act.

Passed March 22, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 26, 1883.

WM. B. BATE,

Governor.

CHAPTER CXXXVII.

AN ACT to establish a Board of Police Commissioners for all municipal corporations in this State having a population of not less than 5,000 nor more than 20,000, according to the census of 1880.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That all municipal corporations in this State having a population of not less than 5,000 nor more than 20,000 inhabitants, according to the census of 1880, and who accept the provisions of this Act as hereinafter provided, shall have the power and it is hereby made the duty of the board of mayor and aldermen of such city or town, at their second regular meeting after the passage of this Act, to elect three police commissioners, to serve as follows: one for one year; one for two years, and one for three years, and annually thereafter they shall elect one police commissioner to serve for three years and until his successor shall be elected and qualified, vacancies when caused by resignation, death or removal from office, may be filled by the board of mayor and aldermen or city council for the unexpired term at any time.

Terms of commissioners.

SEC. 2. *Be it further enacted,* That the police commissioners, when elected, shall take an oath faithfully to discharge the duties of their office, and they may be removed by the board of mayor and aldermen or city council, for misfeasance or malfeasance in office.

SEC. 3. *Be it further enacted,* That no person shall be eligible to the office of police commissioner unless he shall have been a resident citizen of the respective city or town for two whole years immediately preceeding his election, shall be twenty-one years of age and shall have the qualifications necessary for a member of the board of mayor and aldermen or city council, but shall not be the mayor or a member of the board of aldermen.

Qualifications.

SEC. 4. *Be it further enacted,* That the duties of said police commissioners shall be to select and appoint from the sober, industrious, law-abiding citizens of their respective cities or towns, to fill the various offices and positions of policemen as established and regulated by the board of mayor and aldermen or city council, and certify their selections and appointments to the board; also to hear and determine all complaints against any member of the police force for failure to properly dis-

Duties.

charge his duties, and remove the officer or policeman complained of if need be, and fill vacancies in the police force as they may occur; all other questions and powers in regard to said police force are vested in the board of mayor and aldermen or city council.

Hiatus.

SEC. 5. *Be it further enacted*, That the present police force of the respective cities affected by this Act, shall continue to exercise its functions and duties until the new police force selected by the police commissioners shall be organized and qualified.

SEC. 6. *Be it further enacted*, That the office of police commissioner aforesaid being one of honor and trust, no compensation shall be allowed, and the new police force hereby established shall have all the powers possessed by the old police force, and they shall be uniformed.

SEC. 7. *Be it further enacted*, That any municipal corporation affected by this Act shall signify its acceptance of its provisions by causing the same to be spread on its minutes, provided that a majority of the board of mayor and aldermen, by a regular vote of all the members elected, either at a regular or special meeting, determine to adopt the provisions of this Act for their guidance.

SEC. 8. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 22, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 26, 1883.

WM. B. BATE,

Governor.

CHAPTER CXXXVIII.

AN ACT to regulate pool selling, book making and combinations upon turf, trotting and pacing races.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be unlawful for any person to sell pools or to make any betting book or combination, upon any race run, trotted or paced in this State, or in any other State of the United States, unless the said pool selling, book making or combination be conducted or made under and by the authority of a lawfully chartered or incorporated blood-horse or turf association, or trotting association, or stock or agricultural fair association of this State, and then only in the county in which said association or fair may be located. ^{Lawful, when}

SEC. 2. *Be it further enacted,* That a violation of this Act be, and the same is hereby declared a misdemeanor, and, upon conviction, the person guilty thereof shall be fined not less than twenty-five dollars nor more than two hundred and fifty dollars. ^{Fine.}

SEC. 3. *Be it further enacted,* That any association operating under the provision of this Act, shall pay an annual tax for said privilege to the State of one hundred dollars, and the counties may collect such tax on the same, not to exceed the State tax, and it shall be a misdemeanor to sell pools to minors and drunken men. ^{Tax.}

SEC. 4. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 28, 1883.

WM. B. BATE,
Governor.

CHAPTER CXXXIX.

AN ACT to change the line between the counties of Cocke and Jefferson.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between the counties of Cocke and Jefferson be so changed as to include the lands of J. K. Garner, within the county of Cocke.

SEC. 2. That this Act take effect from and after its passage.

Passed March 23, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 27, 1883.

WM. B. BATE,
Governor

CHAPTER CXL.

AN ACT to punish criminal abortions.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That every person who shall administer to any woman pregnant with child, whether such child be quick or not, any medicine, drug or substance whatever, or shall use or employ any instrument, or other means whatever with intent to destroy such child, and shall thereby destroy such child before its birth, unless the same shall have been done with a view to preserve the life of the mother, shall be punished by imprisonment in the penitentiary not less than one nor more than five years.

SEC. 2. Every person who shall administer any substance with the intention to procure the miscarriage of a woman then being with child, or shall use or employ any

instrument or other means with such intent, unless the same shall have been done with a view to preserve the life of such mother, shall be punished by imprisonment in the penitentiary not less than one nor more than three years.

Passed March 23, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 26, 1883.

WM. B. BATE,
Governor.

CHAPTER CXLI.

AN ACT to authorize Pickett county to issue county bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county of Pickett have authority, acting through regular Quarterly term of the County Court, to issue coupon bonds of the county for the purpose of erecting and furnishing the public buildings of the county, and meeting any outstanding indebtedness on account of such buildings, not exceeding the sum of ten thousand dollars, bearing interest at the rate of six per cent. per annum, payable annually; the bonds herein provided for to be payable fifteen years after date, but may be redeemed at any time by order of the County Court, at any Quarterly term, after the expiration of two years. Purpose and amount.

SEC. 2. *Be it further enacted,* That it shall be the duty of the County Court, at some Quarterly term, annually to levy a tax on the taxable property of the county for the purpose of paying the accrued interest, and it shall be the duty of the Revenue Collector of the county to collect and account for this money the same as other county funds or taxes. The coupon, on the bond herein provided for, shall become due annually, and when due shall be receivable in payment for all county taxes, except the sinking fund tax hereinafter provided for. Interest tax.

Sinking fund.

SEC. 3. *Be it further enacted*, That the County Court at a Quarterly term annually, shall levy a tax on the taxable property of the county to create a sinking fund for the redemption of the bonds, authorized by the 1st section of this Act, when they fall due, or are called in as hereinafter provided for; and to enable the court to know what amount to levy, the Clerk of the County Court shall keep a record of all bonds issued, giving number and amount of each, and also of all bonds redeemed and cancelled.

Trustee's duties.

SEC. 4. *Be it further enacted*, That the Trustee or Tax Collector shall collect and account for the sinking fund the same as he is now required by law to collect and account for other taxes; and the County Court may, when it thinks proper, require the Trustee or Tax Collector to give additional bond for the safe keeping and accounting for the fund, and the Trustee or Tax Collector may invest the sinking fund in any of the bonds provided for in this Act, that may be presented for redemption, to an amount not exceeding the sinking fund levy, and he may receive said bonds in payment of the sinking fund tax; but should no bonds be presented, he shall call for such an amount as the sinking fund will redeem, calling for them by number with the first, and redeem them in order, and for this purpose he shall have access to the Clerk's books, and assistance of the Clerk.

Redemption.

SEC. 5. *Be it further enacted*, That when any bond is called for by the Trustee or Tax Collector, and not presented by the holder for redemption, the interest on such bond shall cease from that date, and that a call by public advertisement posted at the court-house door shall be sufficient: such notice to set out the number and amount of each bond called for, and the coupons of such bonds shall not, after the date of the call, be receivable for taxes or redeemable, but shall be void; and should the bonds called for be withheld, then the Trustee shall call for others in regular order, until the amount acquired be presented for redemption, and when coupons or bonds are redeemed by the Trustee or Tax Collector, he shall have credit for the same upon settlement with the Chairman of the County Court, and the number and amount being recorded by the Clerk, the Chairman shall, in the presence of the Clerk, and of Trustee or Tax Collector, burn the bonds and coupons.

SEC. 6. *Be it further enacted*, That the bonds provided for in this Act shall be in denominations of

twenty-five, fifty and one hundred dollars, and when issued, shall not sell for less than face value; that each denomination shall be numbered in order, commencing with "one;" that it shall be the duty of the Clerk of the County Court to procure the bonds herein provided for, and the bonds shall be signed by the Chairman, and countersigned by the Clerk; that the Trustee or Tax Collector be allowed the same compensation for collecting the taxes provided for in this Act as he is allowed by law for collecting other taxes: that the Clerk have such compensation for his services as the Court may allow.

Bonds.

Compensation of officers.

SEC. 7. *Be it further enacted.* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 26, 1883.

WM. B. BATE,
Governor.

CHAPTER CXLII.

AN ACT to amend "An Act to provide for the organization of corporations," passed March 19, 1875, and approved March 23, 1875.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That sub-section 3 of section 2 of an Act passed March 19, 1875, and approved March 23, 1875, entitled "An Act to provide for the organization of corporations," be and the same is hereby amended so as to read, that the board of directors may have the power to increase the number of directors to 15 or 18 if they

deem the interests of the corporation requires such increase.

Passed March 23, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 26, 1883.

WM. B. BATE,

Governor.

CHAPTER CXLIII.

AN ACT to amend an Act entitled "An Act to reduce the several Acts incorporating the city of Columbia into one Act, and to amend the same, passed February 25, 1869; so as to authorize said town to refund their bonded indebtedness by issuing new bonds bearing a less rate of interest, and to authorize the providing of a sinking fund to take up and discharge said bonded debt.

Authority to
issue bonds.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Act to reduce the several Acts incorporating the city of Columbia into one Act, and to amend the same, passed February 25, 1869, be and the same is hereby so amended as to authorize and empower the board of mayor and aldermen of said city, in their corporate capacity, to issue coupon bonds of said corporation, signed by the mayor and recorder of said city, to an amount not exceeding fifty thousand dollars, said bonds to bear date January 1, 1884; the first interest on said new bonds to fall due January 1, 1885. The new bonds herein provided for may be executed in denomination from ten dollars to one thousand dollars, at the discretion of said board of mayor and aldermen, and to mature at such time as may be fixed by said board of mayor and aldermen, not to exceed thirty years after date, and to bear interest at not exceeding six per cent *per annum* from said 1st of January, 1884.

Purpose.

SEC. 2. That said board of mayor and aldermen shall be authorized and empowered to issue said bonds, as herein provided for, only for the purpose of liquidating

and taking up the said eight per cent. coupon bonds of said city now outstanding.

SEC. 3. That the coupons on said new bonds, on and after their maturity, shall be receivable for all taxes and debts due said city, except for taxes for the support of common schools and water works, and said coupons shall show upon their face that they are so receivable. Coupons.

SEC. 4. *Be it further enacted*, That said new coupon bonds shall, under no circumstances, be sold upon the market, or used or applied in any other way by said board of mayor and aldermen except to take up and discharge said eight per cent. bonds, and under no circumstances shall said coupon bonds be used except at their par or face value, and they shall be used dollar for dollar in taking up the eight per cent. bonds; it being the intention of this Act that the new coupon bonds, provided for under this Act, shall be taken by the holders of the eight per cent. bonds dollar for dollar: *Provided*, the holders of the eight per cent. bonds assent thereto. Disposition of bonds.

SEC. 5. *Be it further enacted*, That the board of mayor and aldermen are authorized to have prepared a sufficient number of well engraved coupon bonds to take up and fund said unpaid eight per cent. coupon bonds, bearing not more than six per cent. interest, with coupons thereto attached numbered with the number of said bonds; the cost of such bonds to be paid for by said city. Bonds.

SEC. 6. *Be it further enacted*, That it shall be the duty of the mayor and recorder to enter in a book the number of the new bonds issued, the amount thereof, date of issuance, and also the number and amount of the original bonds taken up by the new bonds, and it shall be their duty to cancel said original bonds by cutting out the name of the mayor and recorder, and file the bonds so canceled in the recorder's office, and they shall make report to each meeting of the board, and exhibit the books and cancelled bonds to the inspection of the aldermen. Record of bonds.

SEC. 7. *Be it further enacted*, That the board of mayor and aldermen of said city are empowered to provide by taxation a sinking fund, to take up and discharge said new bonds. Sinking fund.

SEC. 8. *Be it further enacted*, That nothing contained in this Act shall affect the rights of said corporation, or the holders of said eight per cent. bonds, in any suits now pending as to the validity of said bonds.

SEC. 9. *Be it further enacted*, That all laws or parts

of laws in conflict with this Act be repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1883,

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 28, 1883.

WM. B. BATE,

Governor.

CHAPTER CXLIV.

AN ACT to amend an Act passed March 19, 1875, entitled "An Act to provide for the organization of corporations."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That section 11 of an Act entitled "An Act to provide for the organization of corporations," passed March 19, 1875, be so amended that all manufacturing companies heretofore or hereafter chartered under the provisions of said Act, shall have the power to erect on their own lands elevators, hoists, warehouses and transfer tracks, and operate the same for the elevation, storage and transfer of material, goods, wares and merchandise for the public, and they may charge and collect reasonable compensation therefor.

SEC. 2. *Be it further enacted,* That any corporation heretofore chartered under said Act shall have the right, upon an affirmative vote representing a majority of the stock at a general meeting called for that purpose, to incorporate the powers conferred by this Act in their charters, by the board of directors of said corporation copying said amendment, and making an application in these words: "We, the undersigned, composing the board of directors of (here insert the name of the corporation) apply to the State of Tennessee for an amendment to the charter of said corporation for the purpose of investing it with the power (here insert the clause

granting the powers in section 1 of this Act.) Witness our hands the — day of —, (to be signed by the directors.) The same shall be probated and registered as provided for charters by the Act passed March 19 1875, entitled An Act to provide for the organization of corporations, and when so done, the amendment shall be complete.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 28, 1883.

WM. B. BATE,
Governor.

CHAPTER CXLV.

AN ACT to provide for the erection of an Insane Hospital in the Eastern Division of Tennessee.

WHEREAS, The State of Tennessee is the owner of a tract of land situated in the county of Knox, purchased by commissioners appointed by the Governor, in compliance with an Act of the General Assembly passed March 20, 1873, and approved March 22, 1873; and

WHEREAS, Said farm was purchased with a view of erecting a hospital for the Insane; and

WHEREAS, Said commissioners had contracted for material and the erection of said building, and large sums of money have already been expended on the same; and

WHEREAS, By an Act of the General Assembly passed March 22, 1875, and approved March 23, 1875, the work on said building was suspended; and

WHEREAS, It is an admitted fact, that not exceeding one-third of Tennessee's Insane are now provided with

hospital accommodations, and no obligation can be more pressing than that of securing adequate and impartial provisions for all this unfortunate class of our fellow citizens.

Directors.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Governor shall appoint three directors, whose duty it shall be to take charge of the farm mentioned in the above preamble, and to erect a hospital on the same; that said directors shall not receive any compensation for the services herein imposed upon them except the actual traveling expenses incurred in the discharge of their duties, nor shall the said directors be concerned in any way in any contract for the erection of said building or for furnishing supplies of any kind for the same.

Plan of building.

SEC. 2. *Be it further enacted*, That the said directors shall have power to select and appoint a gentleman of thorough medical education, familiar with the care and treatment of the Insane, who, together with themselves, shall prepare a plan for the proposed hospital, and superintend its erection; the said plan shall be drawn out in detail by a competent architect employed by said directors and superintending physician, which plan shall be in strict conformity with propositions on constructions of institutions for the insane, and shall be approved by the Governor, or such experts as he may select for deciding upon the propriety of the same, and no change shall be made in said plan to materially affect its character or cost without the consent of the Governor, or said expert, in writing.

Salaries.

SEC. 3. *Be it further enacted*, That the directors shall fix the salary of the medical officer herein provided for during the time he is engaged with them in superintending the erection of said building, as also that of the architect and all others whose services may be required in the proper construction of the same.

\$80,000.

SEC. 4. *Be it further enacted*, That to enable the said directors to carry into effect the provisions of this Act, and make all necessary preparations for the building provided for herein, the sum of eighty thousand dollars is hereby appropriated, and the Comptroller shall issue his warrants on the Treasurer from time to time for such sums as the directors may order in a written certificate.

Building.

SEC. 5. *Be it further enacted*, That the said directors and physician shall proceed to erect said building, and complete the same at as early a day as possible, compatible with the perfection or skillful execution of the

work, and they shall annually make reports through the superintending physician to the Governor of the amount of money expended by them, and the progress made in the erection of the building.

SEC. 6. *Be it further enacted*, That the laws now in force in this State relative to the management and regulation of Insane Asylum, be and are hereby extended, and made to apply to the government and regulation of the Asylum in East Tennessee, and the trustees now authorized by law to control and manage the Insane Asylums of this State, shall be and they are hereby constituted the trustees of said Asylum in East Tennessee: *Provided*, that the building to be erected shall not exceed in cost \$80,000, and the plans of the architect shall be made for a building to cost that sum, and the contract price shall not exceed that sum. Laws and regulations.

SEC. 7. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring.

Passed March 24, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 28, 1883.

WM. B. BATE,

Governor.

CHAPTER CXLVI.

AN ACT to amend an Act passed February 25, 1860, entitled "An Act to regulate the paying out the Railroad Tax of Montgomery county," and also to amend an Act passed April 18, 1866, entitled "An Act to amend an Act passed February 25, 1860, entitled an Act to regulate the paying out the Railroad Tax of Montgomery county."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Act mentioned in the caption be so amended as to require the collector of the railroad tax of Montgomery county to pay the same into the First National Bank, the Clarksville National

Bank, the Northern Bank, the Franklin Bank, or other bank of Clarksville, Tennessee, upon the warrant of the County Judge and Financial Agent of said county, taking duplicate receipts for the same, as now required by law. The moneys so deposited shall be paid out upon the check or warrant of the County Judge, who shall keep an account of all receipts and disbursements, and make semi-annual reports thereof to the Quarterly Court of said county, which said reports shall be spread upon the minutes of said court.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 27, 1883.

WM. B. BATE,

Governor.

CHAPTER CXLVII.

AN ACT for the relief of Thomas W. Byrd.

WHEREAS, On the 17th day of May, 1873, a judgment was recovered by the State of Tennessee in the Circuit Court of Hardin county, against the securities of one E. T. McGee, Revenue Collector of said county, for the years 1866 and 1867, for the sum of eight thousand and thirty-one dollars and three cents, besides costs; and

WHEREAS, The property of the only two solvent sureties on the official bond of said E. T. McGee, they being R. J. Williams and Thomas W. Byrd, has been exhausted and the proceeds thereof, amounting in the aggregate to about the sum of eight thousand dollars, have been paid into the Treasury of the State; and

WHEREAS, The said R. J. Williams has since died and his estate has been fully settled up, and the said

Thomas W. Byrd is over seventy-five years of age, and is without means and cannot hope to be able to pay any thing further on said judgment; therefore

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the said Thomas W. Byrd be and he is hereby released from any further liability on said judgment against him as one of the securities of said E. T. McGee, Revenue Collector, as aforesaid.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, [the public welfare requiring it.

Passed March 23, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 26, 1883.

WM. B. BATE,

Governor.

CHAPTER CXLVIII.

A BILL to be entitled an Act to amend an Act passed March 25, 1881, and approved April 4, 1881, entitled An Act to prevent the sale, giving or delivering liquors to minors.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That said Act be so amended that the penalties provided in sections 2 and 3 of said Act be extended to any persons engaged regularly or otherwise in the manufacture or sale of any spirituous, malt or mixed liquors, their employees, agents, servants or any person for them, who shall sell, give, furnish to, or procure for any husband who is an habitual drunkard, any intoxicating liquors, after having been served with a written notice, prohibitory thereof, by the wife of such husband.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 26, 1883.

WM. B. BATE,

Governor.

CHAPTER CXLIX.

To change the time of holding the Circuit Court of Jefferson county, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That after the next term of the Circuit Court at Dandridge, Jefferson county, Tennessee, said court shall be held on the third Monday of April; second Mondays of August and December.

SEC. 2. *Be it further enacted*, That Chapter 140 of the Act of 1879, be so amended as to conform to the provision of this Act;

Passed March 23, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 26, 1883.

WM. B. BATE,

Governor.

CHAPTER CL.

AN ACT to empower the Trustees of Linden Academy to sell old buildings and lots, and to dispose of the funds arising therefrom.

WHEREAS, The two buildings heretofore used by Linden Academy, in Perry county, have become dilapidated and unfit for use for educational purposes; and

WHEREAS, The Trustees of said Academy are erecting a large and commodious school building in said town of Linden, and have not sufficient means to fully pay for the same; therefore

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That C. L. Pearson, W. C. Webb, S. P. Beasley, A. D. Craig and James L. Sloan, be Trustees of said Academy, and their successors in office be and they are hereby authorized and empowered to sell either or both of said old Academy buildings, and the lots upon which they are situated, or any part thereof, and to make valid title in fee simple to the purchaser or purchasers thereof, and to do all other acts in relation to said sale which may be necessary to perfect the same, and to fully effectuate the object of this Act, and to sell upon such terms as they may deem best.

SEC. 2. *Be it further enacted*, That said Trustees shall apply the proceeds of the sale of said Academy building and lots, when collected, in paying for said new Academy building; *Provided, however*, that in case there should be a surplus of said proceeds left after paying for the erection of said new Academy building, said balance of proceeds shall be paid to the County Trustee of said county, and shall become a part of the school fund of said county.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 27, 1883.

WM. B. BATE,

Governor.

CHAPTER CLI.

AN ACT to change the law relating to Notaries Public, by amending section 2, Chapter 11, of the Acts of 1870-71, passed December 14, 1870, and found in Thompson and Steger's Statutes of Tennessee as section 2039b, to repeal sub-section 2 of section 4575 of Code, and fix the fees of Notaries Public for taking acknowledgments to deeds and other instruments of writing.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section 2 of Chapter 11, of the Acts of Tennessee, passed December 14, 1870, and found in Thompson and Steger's Statutes of Tennessee, section 2039b, be and the same is hereby amended by striking out and repealing all of said section after the words "official seal," in the 9th line of said section to the end thereof, and that the official Acts of Notaries Public shall be as valid and binding without said certificate of the County Court Clerk as heretofore with said certificate; and when any deed so acknowledged shall be presented to the register for registration, it shall be and is hereby made his duty to collect the State and county taxes thereon, and pay the same to the Clerk of the County Court.

SEC. 2. *Be it further enacted*, That sub-section 2 of section 4575 of Code, be and the same is hereby repealed, and that for any acknowledgment or probate of deed or other instrument of writing, with seal attached, Notaries Public shall be entitled to 50 cents.

SEC. 3. *Be it further enacted*, That this Act shall take effect and be in force from and after its passage, the public welfare requiring it.

Passed March 23, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 26, 1883.

WM. B. BATE,

Governor.

CHAPTER CLII.

A BILL to be entitled An Act to protect owners of mill-dams across the water courses in this State, and to allow the floating of logs and lumber in said streams and rivers.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That any and all parties may float lumber and saw-logs in any and all of the streams and rivers in this State, over or through the mill-dams erected in and across said streams and rivers: *Provided*, such party or parties shall give bond and security in such sum or sums as will fully protect and secure the owner or owners of said dam against all loss and damage that may be done by the party or parties floating logs and lumber across or through said dam.

SEC. 2. *Be it further enacted*, That the bond required by the first section of this Act be executed before the County Court Clerk of the county in which the dam is situated, and that the same be made payable to the State of Tennessee, for the use of the owners of the dam, and the Clerk will be allowed a fee of fifty cents for taking said bond.

SEC. 3. *Be it further enacted*, That this act take effect from and after its passage the public welfare requiring it.

Passed March 23, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 28, 1883.

WM. B. BATE,

Governor.

CHAPTER CLIII.

A BILL to be entitled An Act to enable the West Tennessee Agricultural and Mechanical Association to settle its indebtedness and make further improvements in its property.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the West Tennessee Agricultural and Mechanical Association shall have the power, and is hereby authorized to issue bonds, not to exceed twelve thousand dollars, and not to bear a greater rate of interest than 6 per cent., payable annually, and not to run longer than twenty years, or at the option of the Association, and to be free from taxation, and to be in denominations of not less than twenty dollars nor more than five hundred dollars, for the purpose of raising money to pay off the present indebtedness of said Association, and to make further improvements of real estate and property of said Association.

SEC. 2. *Be it further enacted*, That the bonds authorized to be issued under this Act shall be secured by a first mortgage on all the real estate and property of said West Tennessee Agricultural and Mechanical Association which shall be a paramount lien upon the real estate and property of said Association, and that the bond authorized to be issued under this Act shall have coequal voting power with the stock of said Association to the extent of the amount of such bonds issued.

SEC. 3. *Be it further enacted*, That ten per cent. of the net earnings of said Association shall be set aside annually as a sinking fund, for the purpose of gradually retiring said bonds or paying them at maturity, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1883.

B. F. ALEXANDER,
Speaker of the Senate

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 28, 1883.

WM. B. BATE,
Governor.

CHAPTER CLIV.

AN ACT to repeal Chapter 29 of the Acts of the Second Extraordinary Session of the General Assembly of Tennessee, passed April 26, 1882; approved April 27, 1882.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act passed April 26, 1882, approved April 27, 1882, entitled "An Act to amend the Act of 1881, Chapter CXXIII, passed April 6, 1881, entitled an Act to provide for the settlement of the indebtedness of the extinct municipality of the city of Memphis," which authorized a settlement of the debt of the city of Memphis and the Taxing District of Shelby county, on the terms therein stated, be and the same is hereby repealed.

SEC. 2. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 26, 1883.

WM. B. BATE,

Governor.

CHAPTER CLV.

A BILL to be entitled An Act to declare the South Fork of Forked Deer River navigable, and to repeal an Act passed March 30, 1881, and approved March 31, 1881, entitled an Act to repeal in part the Act declaring the South Fork of Forked Deer River navigable, passed November 26, 1825.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the South Fork of Forked Deer River is hereby declared navigable from the point

where Campbell's levee crosses said river, to its mouth.

SEC. 2. *Be it further enacted*, That the Act passed March 30, 1881, and approved March 31, 1881, be and the same is hereby repealed.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 27, 1883.

WM. B. BATE,
Governor.

CHAPTER. CLVI.

AN ACT to allow an additional Justice of the Peace in the Thirteenth Civil District of Hardin county, for the town of Saltillo.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Thirteenth Civil District of Hardin county be, and the same is hereby allowed an additional Justice of the Peace for the town of Saltillo, and also a Constable for said town, and said Justice of the peace and Constable shall be residents of said town of Saltillo, and have the powers and jurisdiction of like officers in this State, and shall be elected by the qualified voters within the limits of said district.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 28, 1883.

WM. B. BATE,
Governor.

CHAPTER CLVII.

AN ACT to repeal the Charter of the town Bigbyville, Maury county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That sections 27 and 28, Chapter 118 of the Acts of 1853-4, passed March 2, 1854, incorporating the town of Bigbyville, Maury county, be and the same is hereby repealed, and the corporation of said town is abolished, and all offices created and held under and by virtue of said section of said Act are abolished: *Provided*, that this Act shall not be construed as to impair the obligation of any existing liability which said corporation of Bigbyville has heretofore created.

SEC. 2. *Be it enacted*, That all laws or parts of laws in conflict with this Act be, and the same are hereby repealed.

Passed March 23, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 28, 1883.

WM. B. BATE,

Governor.

CHAPTER CLVIII.

AN ACT to empower the County Courts at their discretion to purchase "The Tennessee Justice and Legal Adviser," by W. C. Kain, for the justices and county officers, and to secure the safe-keeping of books so purchased and their transmission to successors in office.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the County Courts of the State are authorized and empowered in their discre-

tion, by regular appropriation, to purchase for the use of the Justices and county officers of their respective counties a book entitled "The Tennessee Justice and Legal Adviser," by W. C. Kain, Esq.

SEC. 2. *Be it further enacted*, That all laws pertaining to the preservation, safe keeping and transmission of official books and papers from incumbents to their successors in office shall be in force, and apply to all copies of said work purchased under the provisions of this Act.

Passed March 23, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 28, 1883.

WM. B. BATE,

Governor.

CHAPTER CLIX.

AN ACT to change the line between the counties of Hawkins and Hamblen.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between the counties of Hawkins and Hamblen be so changed as to include all the lands of G. W. White, and all the lands of John White (of Georgia), within the said county of Hamblen, and that this act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 27, 1883.

WM. B. BATE,

Governor.

CHAPTER CLX.

A BILL to be entitled an Act to repeal an Act entitled "An Act to provide for the registration of births, marriages and deaths in Tennessee."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act passed March 30, 1881, approved April 5, 1881, Acts of 1881, Chapter CXII, entitled An Act to provide for the registration of births, marriages and deaths in Tennessee, be and the same is hereby repealed.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1883

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 28, 1883.

WM. B. BATE,
Governor.

CHAPTER CLXI.

AN ACT entitled an Act authorizing the citizens in the vicinity of Palmetto Academy, in Marshall county to form themselves into a school district, so as to secure and receive their *pro rata* of the public school fund of the State and county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the citizens living on either side of the county line between the counties of Bedford and Marshall, in the neighborhood of Palmetto Academy, and not convenient to a public school in their respective districts or counties, may form themselves into a school district jointly by meeting in their respective counties at some appropriate place for voting, and electing three

school directors, as now provided by law for school districts now in existence.

SEC. 2. *Be it further enacted*, That the election herein provided for shall be held by the sheriff of the respective counties, viz: Bedford and Marshall, in the same manner elections are held for the election of directors under the existing law.

SEC. 3. *Be it further enacted*, That not more than two of said directors shall be residents of the same county, and the sheriff or sheriffs shall make report of the result of the election herein provided for to the county superintendent and to the county court clerk of the respective counties where said district shall be established, to all intents and purposes, provided said district shall not be created nor established unless a majority of the citizens qualified by law to vote and embraced within the proposed district shall vote for such district; *And provided further*, that the formation of said district shall not do injustice to any established or existing public school in either of said counties interested and effected by this Act.

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 26, 1883.

WM. B. BATE,

Governor.

CHAPTER CLXII.

AN ACT to repeal an Act entitled "An Act to provide for the settlement of the indebtedness of the extinct municipality city of Memphis," and to dispose of the funds already collected and to be collected thereunder.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act passed the 6th day of April, 1881, and approved the 6th day of April, 1881,

entitled "An Act to provide for the settlement of the indebtedness of the extinct municipality city of Memphis," be and the same is hereby repealed.

SEC. 2. *Be it further enacted*, That this repeal of the said Act shall not effect the collection of the taxes already levied thereunder for the year 1882: *Provided*, that all persons who have not paid and still owe said taxes, are hereby relieved from all penalties imposed by law if they pay the same on or before November 1, 1883.

SEC. 3. *Be it further enacted*, That the board of commissioners created by said Act shall at once make a final and complete settlement of its affairs with the board of fire and police commissioners of the Taxing District of Shelby county, and shall immediately turn into the bonded depository, designated by such Taxing District, all funds in their hands; and the same, together with all future collections of said tax, are hereby devoted and appropriated to the exclusive purpose of paying the interest of the compromise bonds of said Taxing District in such manner as may be provided by law, and to such expenses as may have been incurred by the Taxing District in effecting a compromise settlement with the creditors.

SEC. 4. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 26, 1883.

WM. B. BATE,

Governor.

CHAPTER CLXIII.

AN ACT to permit incorporated companies chartered by the Chancery Courts, or under Acts of 1875, approved March 23, 1875, to amend their charters in the manner provided by law for amending charters of incorporations granted by the Legislature.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That any persons organized as a corporation under a charter granted by a Chancery Court of this State, or under the Acts of 1875, Chapter 142, approved March 23, 1875, who may desire to, to change the name of such corporation, increase its capital stock, or obtain any power granted by the Act entitled An Act to provide for the organization of corporations, approved March 23, 1875, shall have the right to do so under and in the manner provided by section 19 of said Act, which provides for the amendment of charters granted by the Legislature, and with the like effect as therein provided: *Provided,* that this Act shall in no way apply to or affect corporations where suits have already been brought to declare their charters void, and shall have no effect on any kind of litigation or suits now pending against such corporation, for any purpose.

SEC. 2. *Be it further enacted,* That this act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 27, 1883.

WM. B. BATE,
Governor.

CHAPTER CLXIV.

AN ACT to make it a felony to dispose of property that is under a mortgage or deed of trust, with the purpose of depriving the mortgagee, trustee, or any beneficiary of the same or its proceeds, and to punish the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That if the maker of any registered mortgage or deed of trust, or any other person, shall dispose of their property conveyed in or covered by such conveyance, with the purpose of depriving the mortgagee, trustee or any beneficiary of the same, or any part thereof, or the proceeds, such person so disposing of such property shall be guilty of a felony, whether the party so offending had custody of the property at the time or not: *Provided*, that this Act shall not apply to mortgages or deeds of trust of real estate.

SEC. 2. *Be it further enacted*, That any person violating the first section of this Act, upon conviction shall be imprisoned in the penitentiary, not less than three nor more than ten years, where the value of such property exceeds thirty dollars; but where the value of the property does not exceed thirty dollars, such person shall be imprisoned in the penitentiary not less than one nor more than five years: *Provided*, that where the property so disposed of does not exceed thirty dollars in value, the Court or Jury shall have the power to commute the punishment to imprisonment in the county jail for any period less than one year, in their discretion.

SEC. 3. *Be it further enacted*, That nothing in this Act shall interfere with the prosecution of offenses heretofore committed under any statute of State, and offenses heretofore committed shall be punished under existing law.

SEC. 4. *Be it further enacted*, That if the person, so disposing of the property, shall pay the debt, to secure which the mortgage was executed, before he is arraigned for trial, he shall not be held liable under this Act.

Passed March 23, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 28, 1883.

WM. B. BATE,

Governor.

CHAPTER CLXV.

AN ACT to levy a tax on all taxable property in the Taxing Districts and Municipalities in the State which have compromised and funded, or may compromise and fund their indebtedness under an Act passed the 23d day of March, and approved the — day of—, 1883, entitled "An Act to empower municipal corporations and taxing districts to compromise and fund their indebtedness, issue bonds for the amount so funded, and to provide means for the payment of the same, as compromised," for the payment of the interest on the debt so compromised and funded.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That for the purpose of paying the interest on the debts of the municipalities and taxing districts in this State compromised, or to be compromised under an Act passed the 23d day of March, 1883, entitled "An Act to empower municipal corporations and taxing districts to compromise and fund their indebtedness, issue bonds for the amount so funded, and to provide means for the payment of the same as compromised," an annual tax of ninety cents on the hundred dollars, payable in lawful money of the United States, is hereby levied for the years 1883 and 1884, on all the taxable property now taxed by law, in the original wards of the municipalities or taxing districts embraced by the provisions of this Act; and of eighteen cents on the hundred dollars of all such taxable property in the other wards of such local government as they existed when added to the original wards.

Annual tax.

SEC. 2. *Be it further enacted*, That the tax hereby levied shall become due and be collected at the same time, in the same manner, and by the same officers as the other taxes imposed for such municipalities or taxing districts, with like liens and remedies for collection, and penalties for non-payment thereof, and upon the same assessments and valuations; *provided*, that the tax hereby levied for the year 1883 shall be due immediately on the passage of this Act, and shall become delinquent on the 15th day of April, 1883, and the sale of property for the non-payment of said tax, in the manner now provided by law for other municipality and taxing district taxes, shall be made on the first Monday in July, 1883. The fees of the officers shall be the same as for collecting other taxing district taxes; and the collecting officers shall pay once a week into the depository designated by such municipality or taxing district the money collected

Tax falls due.

from this tax; and it shall be faithfully applied to the payment of interest on the compromised debt of such municipality or taxing district.

SEC. 3. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed, March 23, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 27, 1883.

WM. B. BATE.
Governor.

CHAPTER CLXVI.

AN ACT to change the line between the counties of Bedford and Rutherford.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the line between the counties of Bedford and Rutherford be changed as follows: Beginning in the Byles road west of the village of Middleton, at Carroll Lamb's southeast corner; thence east with said road to Beverly Harris' northeast corner; thence south to A. H. McCan's southwest corner; thence east to A. H. McCan's southeast corner; thence south to C. G. McLean's southwest corner; thence east with the road between C. G. McLean and C. L. Cooper to C. L. Cooper's northeast corner; thence south to J. M. Worth's southwest corner; thence east with the road running to the Murfreesboro and Shelbyville turnpike, just north of T. S. McFerrins, to where the county line now crosses said road, east of B. A. McLean's; thence with the county line as it now is.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 27, 1883.

WM. B. BATE,
Governor.

CHAPTER CLXVII.

AN ACT to provide for the construction, repairing and buying of turnpike, macadamized and graded gravel roads.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the County Court of each county in the State, at each January term thereof, may elect a board of commissioners to be known as the turnpike commissioners. Said board shall be composed of three persons, the chairman of said court being *ex officio* chairman of said board. The other two persons shall be freeholders, not members of said county court, and residents of the county for which they are elected.

Turnpike commissioners.

SEC. 2. *Be it further enacted*, That at the same term which the county court levies the general tax for county purposes, it may levy a tax for turnpike purposes, which tax, if levied, shall not exceed ten cents on each one hundred dollars of taxable property as shown by the county assessment, and on privileges not more than one-fourth the amount levied for county purposes. All taxes collected under this Act shall be applied by said commissioners to the construction, repairing or buying of turnpike, macadamized or graded gravel roads in the county from which the tax is collected.

Turnpike tax.

SEC. 3. *Be it further enacted*, That said tax shall be due the same day as the general tax for county purposes, and shall be collected by the county trustee at the same

Trustee.

time and in the same manner as he collects said general tax, and subject to the same liability therefor on his official bond as he is for said general tax. Said trustee shall keep said fund separate and distinct from other moneys, and pay out same on the joint warrant or orders of said commissioners as the same may be needed. The trustee shall be entitled to one per cent out of said tax on the amount collected and paid over by him.

SEC. 4. *Be it further enacted,* That each of said commissioners, before entering upon the duties of his office, shall subscribe to an oath before the county court clerk, and be filed by him with said clerk that he will, to the best of his ability, discharge the duties of his office properly, account for all money and other property that may come into his hands by virtue of his office, and that he will not become interested, directly or indirectly, for himself or others in any contract for work, or for materials or supplies or purchases made by said commissioners; said commissioners shall give a bond with two or more sufficient securities in such sum as the county court may order, for the faithful performance of their duties. Said bond to be filed with the county court clerk, made payable to the State of Tennessee, and enforced and collected as other official bonds.

Oath and bond

SEC. 5. *Be it further enacted,* That said commissioners shall keep a record of all official business transacted by them, and make all necessary returns to the Clerk of the County Court, and shall by the 25th day of December of each year render to said Clerk an itemized statement, in writing, showing the amount of money received from the County Trustee, the amount left in his hands, how the fund has been expended, the locality and amount of road made and work done, which statement, together with vouchers for all money paid out by them, shall be filed with the County Court Clerk to be by him brought before the Court at its January term, and subject to the inspection of tax payers of the county.

Record of official transactions.

SEC. 6. *Be it further enacted,* That the Chairman of the County Court shall, within ten days after the election of said commissioners, call them together for organization, at which time one of said commissioners, other than the chairman, shall be elected by them secretary of the board and supervisor of the work to be done by them. Said commissioners shall be entitled to a salary paid out of said tax, and fixed by the County Court before their election; the salary of the secretary and super-

Organisation.

Salaries.

visor shall not exceed the sum of one thousand dollars *per annum*; that of the other commissioners shall not exceed two hundred and fifty dollars *per annum*.

Funds, how
used.

SEC. 7. *Be it further enacted*, That said commissioners shall expend the amount of this fund, received from the Trustee, in constructing, repairing or buying turnpike, macademized or graded gravel roads, first on such roads as in their judgment are the most important or most traveled highways throughout the county, or at such places on said highways as may be most conducive to the public good.

Corporate
limits.

SEC. 8. *Be it further enacted*, That said tax or fund shall not be expended within the corporate limits of any incorporated, city or town, but said commissioners shall not be precluded from coming within the corporate limits of any incorporated city or town in the county, for the purpose of joining with a turnpike, or a macademized or graded gravel street or road within the corporate limits of said city or town.

Vacancies.

SEC. 9. *Be it further enacted*, That should a vacancy from any cause occur in said board, the other commissioners shall continue to act, until the next term of the Quarterly Court, at which time the vacancy shall be filled.

This Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives

Approved March 27, 1883.

WM. B. BATE,

Governor.

CHAPTER CLXVIII.

A BILL to be entitled an Act to amend an Act entitled "An Act to provide for the organization of corporations," passed the 19th day of March, 1875.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the following shall be the form of charter for the organization of banks, the said banks to be invested with authority, if the banking company or corporation so chooses to couple with the ordinary business of banking, a safe deposit and trust company :

STATE OF TENNESSEE. Charter of Incorporation. *Be it known*, That (here insert the name of five or more persons not under the age of twenty-one years applying for the charter) are hereby constituted a body politic and corporate by the name and style of (here insert the corporate name) for the purpose of organizing a bank; the said corporation hereby organized as a bank being invested with authority, if the corporation so chooses, to couple with the ordinary business of banking a safe-deposit trust company. The general powers of the corporation hereby created are, to sue and be sued by the corporate name, to have and use a common seal, which it may alter at pleasure, and if no common seal, then the signature of the name of the corporation by any duly authorized officer shall be legal and binding, to purchase and hold real estate necessary for the transaction of corporate business, and also to purchase and accept any real estate in payment, or in part payment of any debt due to the corporation, and to sell realty for corporation purposes, to establish by-laws, and make all rules and regulations not inconsistent with the laws and Constitution, deemed expedient for the management of corporate affairs, and to appoint such subordinate officers and agents, in addition to president, vice-president, cashier and teller, as the business of the corporation may require, designate the name of the office, and fix the compensation of the officers. The following provisions and restrictions are coupled with said grant of powers: A failure to elect officers at the proper time shall not dissolve the corporation, but those in office shall hold until the election or appointment and qualification of their successors. The term of all officers may be fixed by the

Form of charter.

General powers.

Subordinate officers.

by-laws of the corporation, not however to exceed two years. The corporation may by by-laws make regulations concerning the subscription and transfer of stock, fix upon the amount of capital to be invested, increase the same at any time if deemed advisable, divide the same into shares, fix the time required for payment thereof by the subscribers for stock, the amount to be called for at any one time, and in case of the failure of any stockholder to pay the amount thus subscribed by him at the time, and in the amounts thus called, a right of action shall exist in the corporation to sue said defaulting stockholder for the same, and there shall also be a lien on any instalments of stock which have paid, or any balance unpaid, on the amount of subscription of stock. The board of directors may consist of five or more directors, at the option of the corporation, to be elected either in person or by proxy, by a majority of the votes cast, each share representing one vote. A full and true record of all the proceedings of directors shall be kept, and an annual statement of the condition of its affairs shall be transcribed on the minutes, subject at all times to the inspection of any stockholder. The books of the corporation shall show the original and subsequent stockholders, their respective interests, the amount which has been paid on the shares subscribed, the transfer of stock, by and to whom made, and also all other transactions in which it is presumed a stockholder or creditor may have an interest. The amount of any unpaid stock due from a subscriber to the corporation shall be a fund for the payment of any debts due from the corporation, nor shall any transfer of stock by any subscriber relieve him from payment, unless his transferee has paid up all or any balance due on said original subscription. The right is reserved to repeal, annul or modify this charter. If it is repealed, or if the amendment or amendments proposed being not merely auxiliary, but fundamental, is or are rejected by a vote of the stockholders, at a meeting called for that purpose, representing more than half the stock, the corporation shall continue to exist for the purpose of winding up its affairs, but not to enter upon any new business. If the amendments or modifications, being fundamental, are accepted by a majority as aforesaid, any minor, married woman, or other person under disability, or any stockholder not agreeing to the acceptance of said modification, shall cease to be a stockholder, and

Provisions and restrictions.**Term of office.****Directors.****Books.****Unpaid stock****Amendments**

the corporation shall be liable to pay said withdrawing stockholders the value of his stock, whatever that may be: *Provided*, that the claims of all creditors are to be paid in preference to any withdrawing stockholder. A majority of the board of directors shall constitute a quorum to transact business and elect or appoint all officers. The first board of directors shall consist of the five or more corporators, but after the issuance of the charter the number of directors may be by them, at any time, increased or diminished. The said corporation shall be invested with the right and power to receive money on deposit, allowing therefor to the depositor, if the corporation choses so to contract, interest at a rate not exceeding three per cent. *per annum*, to discount promissory notes, bills of exchange or other evidences of debt, buy and sell the same, deal in gold, silver, bullion, bonds, stocks or other securities generally, advance money upon a pledge or mortgage of real or personal estate, and sell the same, and have and possess all other rights which appertain and belong to a banking institution, except the power to issue notes for the purposes of currency, which power is hereby withheld: *Provided*, that nothing herein contained shall be construed to authorize the carrying on the business of pawnbroker coupled with said privileges as a bank. The corporation shall have power to take and receive on deposit, specially as bailee, any jewelry, plate, money, specie, securities, valuable papers, or other valuables of any kind, and upon a consideration to be agreed upon by the parties to guarantee the safety preservation and redelivery of the same, and also said corporation shall have the power to guaranty the payment of bonds and mortgages owned by other persons, or to guaranty titles to real estate for a consideration to be agreed on by the parties.

Claims of
creditors.

Rights and
powers.

Bailee.

The said corporation shall have the right and power to accept and execute all trusts of every name and kind which may, with its consent, be imposed upon it by any person or corporation, whether the trust be that of guardian, executor, trustee, the committee of an estate of a *non compos mentis*, or any other trust; the said corporation being hereby invested with the power to act in such fiduciary capacity as fully as if the corporation were a person in being. The said corporation shall have the right to construct a vault on its real estate, or to rent any vault already constructed or to be constructed, which in the judgment of the directors will provide reasonable

Trusts.

Vault.

Liability for
loss of articles.

Liability of
stockholder..

Statement of
condition.

means of safety against loss by theft, fire or other cause, in which vault may be fixed or placed safes, boxes or receptacles, for the keeping of jewelry, diamonds, gold, bank notes, bonds, notes, and other valuables, which boxes, safes or receptacles, may be rented by the corporation to other persons or corporations on such terms as may be agreed by the parties, but it is understood that in no event shall the corporation be liable for any loss of said jewelry, diamonds, gold, bank notes, bonds, notes or other valuables thus lost by theft, robbery, fire, or other cause, the said corporation not being the insurer of the safety of said property, nor in any manner liable therefor. The corporation is not required to take any note of property thus deposited, as the person who rents a safe, box or receptacle, is for the term of his lease the owner thereof. Each stockholder shall be liable for the amount of stock subscribed by him, and after the same has been paid, he shall not thereafter be liable for any debts or liabilities of the corporation, except as now provided by general statutes regulating liabilities of corporations and stockholders therein. Every six months the president and cashier shall publish in a newspaper, printed in the county where the office is situated, a statement of the condition and affairs of the company.

SEC. 2. *Be it further enacted*, That the mode and manner for organizing the corporation aforesaid shall be similar to the mode and manner provided for the organization of corporations under the said Act of Assembly, passed March 19, 1875, entitled "An Act to provide for the organization of corporations."

Passed March 23, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 28, 1883.

WM. B. BATE,
Governor.

CHAPTER CLXIX.

AN ACT to be entitled "An Act to amend an Act to authorize the city of Clarksville to levy and collect additional taxes for school purposes," passed April 21, 1882.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Act passed April 21, 1882, and approved April 24, 1882, entitled "An Act to authorize the city of Clarksville to levy and collect additional taxes for school purposes," be amended so as to read as follows: That the city of Clarksville is hereby authorized and empowered to levy and collect a tax not exceeding 20 cents on the one hundred dollars worth of property, and one dollar on polls for school purposes, and that so much of an Act passed March 19, 1860, entitled "An Act to incorporate the town of Middleburg, and for other purposes," in conflict with this Act be and the same is hereby repealed.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 28, 1883.

WM. B. BATE,

Governor.

CHAPTER CLXX.

AN ACT to empower Municipal Corporations and Taxing Districts to compromise and fund their indebtedness, issue bonds for the amount so funded, and to provide means for the payment of the same as compromised.

Authorized fund. to **SECTION 1.** *Be it enacted by the General Assembly of the State of Tennessee,* That all municipal corporations and taxing districts in this State are hereby authorized and empowered to compromise and settle their debts, and to issue their bonds and coupons therefor, as herein provided.

5 and 6. **SEC. 2.** *Be it further enacted,* That any municipal corporation or taxing district may issue its bonds at the rate of fifty per cent of the principal and past due interest of all that part of the debt which has not heretofore been compromised under an Act passed March 8, 1877, and approved March 14, 1877, entitled "An Act to authorize municipal corporations to settle their indebtedness," Chapter 10 of the Acts of Tennessee, 1877. The said debt when thus settled, shall yield the holders thereof six per cent interest. But for the first three years only three per cent shall be paid, and three per cent shall be **Capitalizing.** capitalized, and for the next three years four per cent interest shall be paid, and two per cent capitalized, and thereafter six per cent shall be paid.

Former compromise. **SEC. 3.** *Be it further enacted,* That in all cases where a portion of the debt of any municipal corporation or taxing district has heretofore been compromised under the aforesaid Act, and compromise bonds have been issued therefor, the settlement and compromise, under this Act, with the holders of said bonds, shall be at par. The holders of said compromise bonds may exchange them for the bonds authorized by this Act at par, with the interest thereon to be paid and capitalized as provided in section 2 of this Act, or they may retain their bonds and fund the interest past due, and the interest to be capitalized under the provisions of this Act, in the bonds herein authorized to be issued at par, in which case each coupon, on said bonds maturing for three years from January 1, 1883, shall have stamped on its back a provision that one-half thereof has been capitalized, and that the remaining one-half will be paid at maturity; and on each and every coupon maturing for the next three years,

there shall be stamped a provision that one-third thereof has been capitalized, and that the remaining two thirds will be paid at maturity. Whenever said compromise bonds are retained neither the acceptance of interest on them nor the capitalization of interest on them, as provided by this Act, shall be held or taken as a waiver of any rights which the holders of said bonds now have.

SEC. 4. *Be it further enacted*, That for the purpose of auditing and funding the debt of any municipal corporation or taxing district under the provisions of this Act, a board, to be known as an auditing board, is hereby created, to be composed of the mayor, or president, or chief executive officer and the attorney of the municipality or taxing district, and a third person of legal knowledge and of probity and capacity, to be appointed by the legislative council of such corporation or taxing district. Such chief officer shall be the chairman, and the secretary of the local government shall, *ex officio*, be the secretary of the board. Before entering upon their duties, they shall severally take an oath of office before the Judge of any Circuit Court in the State, and shall severally give a special bond in the sum of twenty thousand dollars with approved securities, to the satisfaction of such Judge, for the faithful discharge of their duties under this Act. The secretary, under the supervision of the board, shall keep its books and perform such other duties as the board may impose upon him. He shall receive for the entire services to be performed under this Act fifteen hundred dollars; and the chairman of the board shall receive one thousand dollars, and the other members five hundred dollars each, for their entire services under this Act: *Provided*, that the compensation here fixed may be reduced by any municipality or taxing district, when it deems the same excessive.

Auditing board

Oath and bond

Duties of officers and compensation.

SEC. 5. *Be it further enacted*, That the said board shall carefully examine all the indebtedness presented to be funded under this Act, whether consisting of bonds, coupons, judgments, scrip, or other indebtedness; and if they ascertain and determine, from an inspection and examination of the same, that the bonds and coupons so presented were issued and signed by the duly constituted authorities of the municipal corporation or taxing district, and that the judgment on bonds or coupons were rendered on bonds or coupons which were issued and signed by the duly constituted authorities of the municipal corporation or taxing district, and that other indebtedness or claims presented, of whatsoever character,

Funding.**Doubtful
claims.**

are the genuine indebtedness of the municipal corporation or taxing district, it shall be the duty of such board to audit the same, and to prepare new bonds therefor, as herein provided; the board is further authorized and empowered to determine, compromise and adjust any other claim or demand that may be presented to be funded, its decision in the matter to be final and conclusive on such municipal corporation or taxing district; and if they are in doubt as to the propriety of funding such other claim or demand, they may make an agreed case with the claimant, to be determined by any Court of competent jurisdiction, and if that cannot be done, then such creditor or claimant is left to establish his claim in any such Court. But nothing contained in this Act shall be taken or construed to effect the right of any municipality or taxing district to rely upon the statute of limitation or to make any other defenses against the holders of any debt who do not accept the provisions of this Act.

New bonds.

SEC. 6. *Be it further enacted*, That whenever any bond, coupon, judgment, or other indebtedness or claim against any municipal corporation or taxing district is presented, and the auditing board find that it is entitled to be funded under the provisions of this Act; then upon the surrender of the holder of his evidence of indebtedness, or upon his acquittance of his debt, such municipal corporation or taxing district is hereby invested with full power and authority, and is required to issue, in its corporate name, a new bond, at the rates aforesaid, in exchange for the indebtedness so surrendered; and the same shall be delivered to the person entitled to receive it, and a full receipt taken from him showing the indebtedness surrendered and the bond received. This receipt shall be preserved, in a book kept for the purpose, among the other records of the local government.

**Date and time
of bonds.**

SEC. 7. *Be it further enacted*, That the bonds hereby authorized to be issued shall be dated the 1st day of January, 1883. They shall be payable thirty years after their date, but shall be redeemable at par by the municipality or taxing district, or any successor thereof, at any time after the expiration of six years from their date. They shall bear interest at the rate of three per cent. *per annum* for the first three years, four per cent. *per annum* for the next three years, and six per cent. *per annum* for the remaining twenty-four years, evidenced by coupons attached payable semi-annually in

Interest.

the city of New York, on the first day of January and July of each and every year, from and including the first day of July, 1883, to the maturity of the bond, the difference between the rates of interest here stated, and six per cent. being capitalized as hereinbefore set forth. The said bonds shall be in denominations of \$100, \$500 and \$1,000, at the option of the party funding. They shall be signed by the mayor or president or chief executive officer of the municipality or taxing district, and countersigned by the secretary of the local government, and the seal of the corporation shall be affixed thereto, which seal shall be provided by such local government for that purpose. In issuing said bonds, all due interest to the first of January, 1883, shall be computed and treated as part of the principal. The first coupon shall mature July first, 1883. A certificate shall be issued for any amount of debt as compromised less than \$100, which shall be convertible into the bonds, authorized to be issued by this Act, when presented in sufficient sums.

Denomina-
tions.

Certificate.

SEC. 8. *Be it further enacted*, That the bonds issued under this Act, shall be substantially in the following form :

————— COMPROMISE BOND.

1883

Bond issued for funding and compromising the debt
of (here insert name of local government).

No. ———

Know all persons by these presents, that (here insert name of local government), a corporation created under the laws of Tennessee, acknowledges itself indebted and firmly bound to —, or bearer, in the sum of — dollars, in lawful money of the United States of America, which sum the (here insert the name of local government) promises and obligates itself to pay to bearer, on the 1st day of January, 1913, with interest from the 1st day of January, 1883, at the rate of three per cent. *per annum* for the first three years, four per cent. *per annum* for the next three years, and six per cent. *per annum* thereafter until maturity, payable semi-annually in the city of New York, on the 1st day of January and July of each year, on the presentation and delivery of the attached coupons. The bond shall be redeemable at any time after the 1st day of January, 1889. This bond and coupons are issued in settlement and compromise of valid and legal indebtedness of (here insert name of local government), under and in pursuance of and in strict conformity with an ordinance or resolution of

Form of bond.

the legislative council of (here insert name of local government), and executed under authority of the Constitution, and in accordance with the laws of Tennessee, and an Act of the Legislature of Tennessee, passed on the — day of —, 1883, entitled An Act —, Acts of Tennessee, 1883, Chapter —, and the holder is entitled to all of the rights and remedies set forth in and secured to him by said ordinance, Act of the Legislature, and laws of Tennessee, and in consideration of the surrender on the part of the creditor of a portion of the debt due to him from said corporation, it is expressly declared that the faith and credit of (here insert name of local government) are hereby pledged to the prompt payment of this bond and the coupons attached; and it is further stipulated that no plea of illegality, irregularity, or want or failure of consideration in the debt so surrendered, shall ever be made by the debtor corporation in any legal proceeding on this bond or the coupons here attached.

Auditing and
canceling.

SEC. 9. *Be it further enacted*, That it shall be the duty of the auditing board, upon the surrender of any evidence of indebtedness for which a new bond is to be issued, and before the bond is signed and issued, to cancel the evidence of indebtedness so surrendered with a punch so that it cannot be again used.. All matured coupons shall be surrendered with the bonds, and no bond shall be received or funded, from which unmatured coupons are detached, unless such coupons are produced and surrendered with the bond. The officers of the local government shall from time to time examine the work of the auditing board, and destroy all evidences of indebtedness surrendered and cancelled.

Bond registry.

SEC. 10. *Be it further enacted*, That the auditing board hereinbefore created, shall keep, for and on behalf of the local government, a complete bond registry, and set of books, showing all bonds issued, date, amount, etc., all bonds or indebtedness surrendered, and all the other transactions of such board. When bonds or coupons are paid, their payment or cancellation shall be noted in the said registry. The books here required shall be safely kept among the local government records.

Interest tax.

SEC. 11. *Be it further enacted*, That an annual interest tax shall be levied by the General Assembly of the State of Tennessee, at each regular biennial session, on all the taxable property, including merchants' capital, of the municipality or taxing district availing itself of the provisions of this Act, or the successor, by what-

ever name styled, sufficient in amount, after proper allowances for errors, insolvencies and deficiencies, to meet the interest as it matures on the bonds provided for by this Act. An annual sinking fund tax, equal to ^{Sinking fund} tax. ten cents on the one hundred dollars of property, shall also be levied by the General Assembly, and collected annually, beginning with the year 1889, to be applied to the redemption or purchase of said bonds, but only one-fifth of the amount of the sinking fund so imposed on property in the original wards of such local government shall be levied on property in the other wards as they existed when added to the original wards, and the said tax shall be imposed so that the total sinking fund tax shall equal ten cents on the one hundred dollars of all the taxable property of such municipality or taxing district, and for so much, if any, on such bonded indebtedness as has not been bought in or retired at or before maturity. The General Assembly shall levy a tax sufficient and adequate to pay the same when due, and the said taxes hereby required to be levied, shall be levied and collected at the same time and in the same manner that all other taxes are or may be levied or collected for said municipality or taxing district, or its successor, and shall be entitled to all the liens, remedies and penalties that are or may be provided for the collection of the revenue of such local government and of the State of Tennessee.

SEC. 12. *Be it further enacted*, That if the General Assembly shall fail or omit at any time to levy such tax as hereinbefore provided, to pay such principal and interest, and create such sinking fund, then it shall be the duty of every municipal corporation or taxing district, which compromises its debts under the provisions of this Act, to levy such tax as the General Assembly should have levied, and shall have so failed to levy; and as against such corporation, taxing district, or its successor, the holders of the bonds and coupons provided for by this Act may have judicial process to enforce the performance of this duty; and to make certain the provision for the payment of the principal and interest of said debt, in the event of the omission of the General Assembly, from time to time, to levy the taxes necessary to carry out the settlement authorized by this Act, as hereinbefore set out, power is hereby expressly conferred upon such municipality or taxing district, or its successor, to levy such omitted tax. But this power is given

Levy by taxing district, omitted by the Legislature.

for the sole purpose of supplying such omission, and is to be exercised for that and for no other purpose whatever; and the power is only to be exercised in the event of the default of the General Assembly, and only for the amount and for the period as to which the General Assembly shall have made such default, and only in behalf of those who accept the terms and provisions of this Act, and those claiming under them. No other taxing power whatever, and no taxing power for any other purpose whatever than as hereinbefore set out, shall be exercised by the municipal corporation, taxing district, or its successor, as aforesaid, under this Act, and no *mandamas* or other judicial process shall be issued by any Court to require such corporation, taxing district, or its successor, to levy any other tax, or in any other amount, or under any other circumstances, than as hereinbefore provided.

Purchase or
redemption of
bonds.

SEC. 13. *Be it further enacted*, That the purchase or redemption of the bonds of any municipality or taxing district out of any funds created or appropriated by this Act for that purpose, shall be made at the lowest bids obtainable after advertisement by the mayor, president or chief executive officer of of such local government, in at least two daily newspapers; all of such bids to be opened in the presence of the legislative council, and the said chief executive officer may also, at any time after six years from the date of the bonds, and out of the funds collected for that purpose, call in and pay any of the bonds provided for by this Act, such bonds to be designated by and in the order of their respective numbers, and the interest thereon to cease from and after such call, if the money is on hand for their payment; such bonds shall be paid or redeemed by the depository hereinafter created of such local government, under the direction and order of the mayor, president or chief executive officer thereof.

Depository.

SEC. 14. *Be it further enacted*, That any municipality or taxing district compromising its debt under this Act, shall, through its legislative council or local government, annually designate a bank, situated within its corporate limits, as a depository, where all the funds collected or appropriated for the payment of the principal or interest of its compromised debt shall be deposited and kept. Such depository shall execute a bond, with approved securities, in such sum as the local government may require, conditioned to account for all money received by it, and for the faithful execution of

its trust: and this bond may be increased when necessary, and the corporate funds may at any time be removed from the depository, when, in the opinion of the legislative council, the safety thereof is in jeopardy. All collecting or other officers shall immediately upon the collection, or receipt thereof, pay into said depository all funds required by law to be deposited or paid there, whether received from any interest or sinking fund tax, or from any other source, and shall report such payments to the local government at least once a week. The depository shall report monthly the amount of corporate funds on hand to the local government, and shall make settlements every six months, showing the amount of money received, from what source, the amount paid out, and the bonds and coupons paid; and before it is credited with the bonds and coupons so paid, they shall be cancelled with a punch by the mayor, president or chief executive officer of the local government, in the presence of at least one representative of the depository. Said depository shall apply all the corporate funds received by it, under the direction and supervision of the mayor, president or chief executive officer, to the payment of the coupons and bonds herein provided for, but to no other debt and for no other purpose. It shall pay all the coupons on said bonds as they mature, and the bonds which may be purchased or redeemed as hereinbefore set out, under the direction of the president, mayor or chief executive officer of the local government. Any surplus of funds, not required to pay the interest arising from any source during the first six years from the date of the bonds, shall be applied to the purchase of the bonds or interest provided for by this Act. The said depository shall receive no compensation for the services rendered under this Act.

Biennial
settlements.

SEC. 15. *Be it further enacted*, That every part of this Act shall be taken and considered as a contract by and between the State and municipal corporation or taxing district issuing bonds under it on the one part, and the parties accepting and holding said bonds on the other: and no part thereof material to the rights and remedies of the holders and owners of such bonds shall be subject to modification, change or repeal so long as the same or any part thereof shall remain unpaid.

This act a con-
tract.

SEC. 16. *Be it further enacted*, That the acceptance and consummation, by any creditor, of the compromise provided by this Act, shall of itself operate to assign and transfer to said municipal corporation or taxing district,

Transfer
rights of cred-
itor.

all his rights to and claims against the uncollected taxes or other assets whatever of said municipal corporation, with the right in said municipal corporation or taxing district to enforce the same, either in its own name or in the name of the creditor, the funds that may be realized therefrom, to be paid in to the designated depository of such municipality or taxing district; and they are hereby devoted and appropriated exclusively to the payment of the bonds and coupons that come under the provisions of this Act.

Act expires
Feb. 1, 1884.

SEC. 17. *Be it further enacted*, That the holders of any part of the debt of any municipality or taxing district, to which this Act may apply, who do not fund their indebtedness or comply with the provisions of this Act, on or before the 1st day of February, 1884, shall not be entitled to any of its benefits. The power to adjust and compromise the said debt must be exercised on or before said 1st of February, 1884, and on that day the authority hereby granted shall cease, and such municipality or taxing district shall have no power thereafter to issue the bonds herein provided for.

Bonds prepared.

SEC. 18. *Be it further enacted*, That as soon as practicable after the passage of this Act, there shall be prepared under the direction of the mayor, president, or chief executive of the municipality or taxing district and the auditing board, a sufficient number of well engraved or lithographed bonds and coupons of the denominations and substantially in the form above described, to take up and fund the debts of municipal corporations and taxing districts, as provided by this Act. The coupons shall be numbered with the number of the bond to which they are attached, and shall show on their face when they fall due, and the amount due on each. The cost for engraving or lithographing and preparing said bonds and coupons, and all the cost of the books required to be kept, the salaries of the members of the auditing board, and their secretary, and all the other expenses necessarily incident to the settlement of the debt, as required by this Act, shall be paid by the municipality or taxing district, on the warrant of the mayor, president, or chief executive officer thereof, out of any funds in the designated depository, realized from any source under the provisions of this Act, which are not required for the payment of interest, and the said depository shall be credited with such payments in its settlements.

Cost of bonds,
etc.

SEC. 19. *Be it further enacted*, That for any violation of the trusts imposed on the officers and agents employed under this Act, the same consequences shall follow, ^{Violations an penalties.} criminally and civilly, that result from any breach of trust or wilful violation of duty imposed by law upon any of the officers of any municipal corporation or taxing district within this State for breach of trust or wilful violation of duty, and, on conviction, to be punished in like manner.

SEC. 20. *Be it further enacted*, That such portions only, and particularly so much of section 12, of an Act ^{Acts repealed.} passed January 29, 1879, entitled "A Bill to establish taxing districts in the State, and to provide the means of local government of the same," as are in conflict with the provisions for this Act, and that all laws or parts of laws, in conflict herewith, be and the same are hereby repealed.

SEC. 21. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 23, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 28, 1883.

WM. B. BATE,
Governor.

CHAPTER CLXXI.

To provide for the lease and management of the State Penitentiary.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Secretary of State, ^{Board of Inspectors.} Comptroller and Treasurer are hereby appointed a Board of Inspectors of the Penitentiary of the State of Tennessee.

Inspectors to
lease for six
years.

Minimum
\$100,000 per an-
num.

Rules for treat-
ment of con-
victs.

Guards.

Warden.

Work hours.

No damages to
lessees.

SEC. 2. *Be it further enacted*, That it shall be the duty of the Governor, who shall call to his assistance the Board of Inspectors, as above constituted, to lease the penitentiary and labor of all the convicts who may then or thereafter be confined, together with the penitentiary buildings, quarry grounds, fixtures, machinery, tools, engines, patterns, etc., belonging to the State, for the term of six years, from the first day of January, 1884. But no lease shall be made in which the hire and rental secured shall be less than the sum of one one hundred thousand dollars *per annum*, clear of all expenses on any account to the State, and by which the State shall be saved from all expense incident to the maintenance thereof, except as hereinafter provided in section 7 of this Act.

SEC. 3. *Be it further enacted*, That such lease shall provide that the lessee or lessees shall treat the convicts with humanity, and shall conform to such by-laws and regulations as may be established by said Board of Inspectors, and said officers may adopt just and proper rules in relation to such convicts for their improvement and reformation in morals and religion, but such regulations shall not interfere with the safe keeping of said convicts that are to be governed, controlled and disciplined by the Warden and Assistant Warden, according to the by-laws adopted by the Board of Inspectors. The guards shall be appointed and discharged by the Superintendent, and in his absence the Warden may appoint or discharge guards, subject to his approval. The Warden shall be charged with the duty now imposed upon him by law and the provisions of this Act, of treating the prisoners with humanity and kindness, and protecting them from harsh and cruel treatment and overwork, and of exacting from them the performance of the service and labor to which they are bound by law. The number of guards are to be regulated by the Superintendent, Warden and Inspectors, and in all cases said guards shall be sufficient for the safe-keeping of the convicts. And the work of said convicts shall be at an average of ten hours per day, Sundays excepted, through the entire year, and the number of hours to be worked in the different seasons of the year shall be regulated by the Superintendent, Warden and Board of Inspectors.

SEC. 4. *Be it further enacted*, That said lease shall provide that the lessee or lessees shall have no claim for damages or deductions against the State because of the

exercise of the pardoning power of the Governor, or by reason of any change in the criminal laws of the State, nor for escapes, sickness or death of prisoners, fire, or any other accident whatever.

SEC. 5. *Be it further enacted*, That all the walls, buildings and permanent erections of every kind in and about the prison, and belonging thereto, are to be kept and maintained as a State prison in the condition in which they now are, and in repair equal to that in which they are delivered, at the expenses of the lessee or lessees, and to be redelivered in that condition, and that the State shall not be liable to replace any part thereof which may be destroyed by fire or accident, being liable only for injury or destruction occasioned by act of God or the public enemy, and that the lessee or lessees shall not be liable for any such loss of buildings or permanent machinery, or other property belonging to the prison, without blame on their part. But that no loss by fire or other accident shall release the lessee or lessees from the payment of any part of the hire or rental by them to be paid, but in case of the destruction of shops, building, machinery, or other property belonging to the prison, the Board of Inspectors may have others erected, and the necessary repairs made, or the lessee or lessees be allowed to remove the convicts from the main to the branch prisons, and work them there.

Buildings to be kept in repair.

State not liable for loss.

SEC. 6. *Be it further enacted*, That prior to the expiration of the present lease, it shall be the duty of the Superintendent and Board of Inspectors (who may employ a skilled mechanic to assist them) to take inventories and descriptive schedules, with condition and value attached, of all the property of every description belonging to the State, attached to or connected with the penitentiary, and the articles of like description and value, in as good condition and repair (the usual wear excepted) as when turned over by the State, under any lease that may be made under the provisions of this Act, to said lessee or lessees, shall be by them redelivered to the State at the expiration of the lease.

Inventories of property.

SEC. 7. *Be it further enacted*, That all necessary and proper prison expenses of every kind now by law or under the provisions of this Act chargeable heretofore to the State, shall be paid by the lessee or lessees, excepting only the salary of the Superintendent, Warden, Assistant Warden, Surgeon and Chaplain, and the said lessee or lessees shall furnish all the supplies, food, clothing, tobacco, medical supplies, and all other outlays as

Prison expenses paid by lessees.

are now required by law or the provisions of this Act for the prisoners, promptly on the requisition of the Superintendent; in case of his absence upon the requisition of the Warden; and in case of the absence of both the Superintendent and Warden, then upon the requisition of the Assistant Warden.

Costs of escapes. SEC. 8. *Be it further enacted,* That said lessee or lessees shall, on the escape of any convict, be liable to pay such reward as the Governor may offer, not to exceed twenty-five dollars for each, and all the expenses otherwise incurred (including advertising) in the capture and delivery of such prisoners to the prison or its officers.

Place and kind of work for convicts. SEC. 9. *Be it further enacted,* That the lessee or lessees will be permitted to work the convicts at any place or places in the State of Tennessee, subject to the rules and regulations provided in this Act, and otherwise provided by law, and they shall have full control of the place or places, character and kind of work or labor in which the convicts shall be employed. But if the convicts are to be employed in any new species of labor other than such as has been heretofore done by them, the same shall be subject to restrictions by the General Assembly of the State of Tennessee: *Provided*, it is found to be prejudicial to the public property or the good of the convicts.

Closets. SEC. 10. *Be it further enacted,* That the lessee or lessees, at their own expense, shall provide necessary privies for each and every prison where convicts are confined, and shall keep the same deoderized and disinfected by dry earth or otherwise, and remove all excrements once every day in a manner that shall not be injurious to the sanitary condition of the neighborhood in which said prison is situated.

Bond for quarterly payments, etc. SEC. 11. *Be it further enacted,* That said lessee or lessees shall give bond as hereinafter provided, that he or they will faithfully pay into the State Treasury, quarterly, the price agreed upon for said labor, and the rental of said penitentiary, and to perform all the requirements imposed by the provisions of the lease herein provided for, and should said lessee or lessees fail, neglect or refuse to make said payment or to perform any or all of the duties or obligations required of him or them under his or their said lease, or should said lessee or lessees, or any agent of his or theirs, knowingly and wilfully treat the convicts cruelly or inhumanly, or keep confined in the walls of the main prison at Nashville ex-

ceeding five hundred and fifty convicts at any one time, in addition to female convicts and the hospital inmates, except in case the accommodations or buildings shall be enlarged by the State, or except upon the permission of the Inspectors, and continue so to do after twenty days' notice from the Superintendent and Board of Inspectors, then the Governor and Board of Inspectors may declare said lease at an end, and at the expiration of twenty days, due notice of such declaration having been given to the lessee or lessees for that period, then said Governor and Board of Inspectors may reenter and take possession of said penitentiary and the custody and control of the convicts, and the same release as herein as provided, for the unexpired term of the lease provided for in this Act, and for any loss or damage the State may sustain, because of such failure, neglect or refusal on the part of said lessee or lessees, a recovery may be had on the bond of said lessee or lessees hereinafter required, in any of the courts of this State having competent jurisdiction.

Lease forfeited.

SEC. 12. *Be it further enacted*, That in any pending litigation or suit between the State and lessee or lessees, the State shall be entitled to the management and control of said penitentiary and convicts, any injunction to the contrary notwithstanding.

Pendente lite.

SEC. 13. That no convict under sentence now, or that may be hereafter sentenced, for the crimes of murder or rape, shall be worked or hired outside the prison bounds of the penitentiary, unless by the consent of the Inspectors upon the written request of the Warden.

Murder or rape

SEC. 14. *Be it further enacted*, That the Superintendent shall keep a correct register of the conduct of each convict, to be termed the "good time account," in which he shall faithfully record the exact conduct of each convict, and each convict who shall demean himself uprightly, shall have deducted, from the time for which he may have been sentenced, one month for the first year, two months for the second year, three months for each subsequent year until the tenth year inclusive, and four months for each remaining year of the time of imprisonment: *Provided*, that the reduction of time herein provided for is upon the consideration of continued good conduct; and such record shall be evidenced for or against the convict in any of the courts of this State.

Good time account.

SEC. 15. *Be it further enacted*, That any of the powers reserved in such lease or vested by law in or to be exercised by said Board of Inspectors, or other officer or

Powers reserved

body, may be exercised by him or them, or their successors in office, or by such other officer or authority as the General Assembly may at any time during the continuance of said Board vest with said authority.

SEC. 16. *Be it further enacted*, That the Governor, before the lease can be made, shall cause the Secretary of State to advertise for sixty days in three newspapers, one published in each division of the State, and in one newspaper in each of the cities of New York, Louisville and New Orleans, that said penitentiary and property thereto belonging will, on the 6th day of July, 1883, at twelve o'clock of said day at the capitol of Tennessee, be leased to the highest bidder for the term of six years, from the first of January, 1884. And on the day above named, at the time above named, the Governor, together with the Inspectors, shall offer said penitentiary property and convict labor for lease at public outcry at the place designated, and the bid for the highest rental and hire shall be accepted: *Provided, however*, that before said property shall be so offered, any person or persons desiring to bid for said property shall file with the Governor and Inspectors satisfactory evidence, that in case the property and labor shall be struck off to such bidders, that he or they will fully comply with and execute the bond required by this Act. This evidence shall consist of a statement in writing, filed with the Governor and Inspectors, signed by the parties obligating themselves to become the surety of the party therein named, if such parties shall be the successful bidder, and before such party shall be permitted to bid on such statement and offer of said parties to become the securities of the party or parties, there shall be endorsed by the Governor a certificate that the securities so proposed are good for the amount of the bond required under this Act, and, in addition to such other security as the Governor may require, such bidder shall deposit with the Governor a certified check for Ten Thousand Dollars, payable to his order, on some solvent bank in this State, to be forfeited to the State in the event said bid is not complied with. And in case a party shall bid without having complied with this requisition, said bid shall not be cried or considered against a party or parties who have complied with the aforesaid requirements, and on the advertisements of the lease of the property and hire of the labor of the convicts, these requirements shall be plainly and succinctly stated; but if there shall be no bids made in pursuance of this Act, then the Governor as

Advertisements before leasing.

Lease at public outcry.

Preliminary evidence of good faith.

Bids not considered.

Failure to lease.

before provided, may advertise the second time, and if the result is that there shall be no biddings, then the Governor and Inspectors may proceed, by and through the Superintendent, to hire out the labor of the convicts making contracts for as long a period as possible, not exceeding six years, and may lease the penitentiary and machinery, etc., as they may think best. The Governor and Inspectors, in case the property and labor is leased and hired, shall require of the lessee or lessees a bond with securities, such as they will approve, in the sum of not less than one hundred thousand dollars, the form of the bond to be determined and approved by the Governor and Inspectors, conditioned for a strict performance of all the requirements of this Act in regard to said lease, and, in case of any necessity arising, they may require additional security on said bond. And when said additional security shall be demanded, and the lessee or the lessees shall fail to give the same within twenty days from such demand, then the Governor, together with the Inspectors, shall declare the said lease forfeited, and proceed to re-lease the property and hire the labor, as provided for in this Act, for the unexpired time embraced by the terms of the lease.

Bond and security.

SEC. 17. *Be it further enacted*, That the Superintendent shall report to the Governor and Board of Inspectors, biennially, the number of escaped convicts, and the particular facts and circumstances attending the escape of each convict.

Reports of escapes.

SEC. 18. *Be it further enacted*, That the officers for the government of the penitentiary shall be three Inspectors, one Superintendent, one Warden, one Assistant Warden who shall be book-keeper and clerk, one Physician, one Chaplain, and as many guards as the Inspectors and Superintendent may from time to time think necessary.

Officers.

SEC. 19. *Be it further enacted*, That the Superintendent, Warden, Assistant Warden, Physician and Chaplain shall be appointed by the Governor, and said Inspectors shall fix the salaries of the Superintendent, Warden, Assistant Warden, Surgeon and Chaplain: *Provided*, the salary of the Superintendent shall not exceed twenty-five hundred dollars *per annum*; that of the Warden shall not exceed one thousand dollars *per annum*; that of the Assistant Warden shall not exceed eight hundred dollars *per annum*; that of the Surgeon shall not exceed one thousand dollars *per annum*; and that of the Chaplain shall not exceed three hundred dollars *per annum*.

Appointments and salaries.

Chaplain and
little boys.

Be it further enacted, That the Chaplain be required to see the little boys of 16 years and under, and older ones, if found advisable, at least two hours each week, to instruct them morally, religiously and educationally, both white and black. That the Warden and Keeper provide a room as they may think best, and otherwise facilitate his efforts to thus care for these little boys. That the Chaplain, with the Warden, shall from time to time call the attention of the Governor to such little boys as may appear to them proper, and the Chaplain shall make the results of his efforts with these little boys a special part of his biennial report. That the Chaplain shall receive for these additional services the additional sum of twenty dollars.

Officers qualify

SEC. 20. *Be it further enacted,* That the Board of Inspectors, and all other officers employed to control and manage the penitentiary for the State, shall, before entering upon the discharge of their duties, take the oath prescribed in section 5453 of the Code. The Superintendent shall execute bond and subscribe to the oath, as provided in section 5559e, sub-section 2, of the Supplement to the Code, and that the Warden and guards shall perform the duties and subscribe to the oath as prescribed in sub-section 8 of said section.

Duties of In-
spectors.

SEC. 21. *Be it further enacted,* That the Board of Inspectors created by the first section of this Act shall perform all the duties required of them by this Act, also such other duties as are prescribed in sections 5454 to 5461, inclusive, of the Code, without additional compensation.

Duties of Su-
perintendent

SEC. 22. *Be it further enacted,* That the Superintendent shall devote his time exclusively to the duties of his office, as provided in this Act and prescribed by law. He shall visit all branch prisons, and such other points in this State where the convicts may be located, by authority of this Act, once every two months, and if possible, once each month. He shall, while on such visits, carefully inspect the prisons, rooms and cells, hospitals, dining-rooms, kitchen, etc., and shall see that each be kept in good order, free from dirt and filth; that the sanitary condition of the prisons, rooms, cells and hospitals are such as will promote health. He shall plan and direct the construction of the prisons, rooms and cells so as to prevent the escape of convicts. He shall see that the convicts are provided with a sufficient supply of bedding for health and comfort, and shall see that the beds and bed-clothing be kept clean and aired

well. He shall require the Warden and the guards to perform strictly all the duties required of them in this Act and by law. He shall require the Warden to see that each convict is provided with the following articles of good and wholesome food as each day's rations, viz.: an ample supply of bread, three-fourths pounds of bacon or one pound pork, or one and a half pounds of beef, and such quantity of coffee, sugar, molasses and vegetables as are now provided by law. He shall require the Warden and guards to see that the convicts keep themselves clean, and change their clothing at least once each week, and if necessary for health, change oftener than once a week.

SEC. 23. *Be it further enacted*, That the lessee or lessees shall, upon the order of the Superintendent or Warden, furnish such articles of clothing to the convicts as are now provided by law.

SEC. 24. *Be it further enacted*, That the physician, in addition to his duties now prescribed in section 5484 of the Code, shall, from the 15th of November to the 15th of March, visit the prison each day at the hour of 7 o'clock A. M., and examine the physical condition of the convicts, and pass upon their ability to labor. If unable to work, he shall direct that they be returned to their cells or to the hospital. From the 15th of March to the 15th of November he shall visit the prison at the hour of 6:30 o'clock A. M. each day for the purpose mentioned above.

SEC. 25. *Be it further enacted*, That the Warden, Assistant Ward and guards shall be subject to the orders and controlled by the Inspectors and Superintendent, as provided for by this Act and by law, and such rules and regulations as may be adopted by said Inspectors and Superintendent. It shall be the duty of the Warden, Assistant Warden and guards, by the direction of the Inspectors or Superintendent, to perform all duties required of them. They shall report all acts of cruelty or inhumanity inflicted upon the convicts by the lessee or lessees to the Inspectors or Superintendent, who shall notify the lessee or lessees that the continuance of such cruel and inhuman treatment will subject them to a forfeiture of his or their lease, as provided for in section 11 of this Act.

SEC. 26. *Be it further enacted*, That the lessee or lessees shall be required to erect safe, secure and comfortable buildings or places of confinement for the safe-keeping of all convicts that may be removed from the

Rations.

Clothing.

Duties of physician.

Duties of Warden, Assistant Warden, and guards.

main prison to any place in the State, as provided for in this Act, to be put at labor in mines, on railroads, on farms, or with the consent of the Governor and Inspectors, at any other kind of labor; the said lessee or lessees shall also provide hospital rooms or apartments for the sick, and a competent physician. They shall supply such medicine as may be necessary, or which may be required by the physician for the sick, as provided for in section 7 of this Act.

Misconduct or negligence of officers
 SEC. 27. *Be it further enacted*, That any Warden, Assistant Warden, keeper or guard, who shall by his or their misconduct or negligence, allow, permit or suffer any convict to escape, or who shall receive from the lessee or lessees any gift, present or reward, he or they shall be discharged at once, and forfeit all salaries or wages that may be due him or them for his or their services, at the direction of the Superintendent: *Provided*, that the Warden or Assistant Warden, at the main prison, shall not be removed without the concurrence of the Governor.

Lessees to convey convicts to prisons.
 Return of released convicts
 SEC. 28. *Be it further enacted*, That it shall be the duty of the lessee or lessees to receive the convicts at the place of conviction, and transport them to the penitentiary, or to one of the branch prisons, established by the lessees, free of any charge whatever to the State; and if said lessee shall fail or refuse for five days after receiving notice to transport such convicts, they shall be transported to the State penitentiary as now provided by law, but the amount actually paid by the State for transporting them shall be refunded by the lessee or lessees to the State, as well as any sum paid by this State for guarding said convicts after final judgment has been pronounced against them, and the bond required of the lessee or lessees, under this Act, shall embrace this liability, and that section 5264 of the Code, so far as the same is in conflict with this section, be and the same is hereby repealed; and when the term of service of the convict is about expiring, it shall be the duty of the Warden, having the convict in charge, at the expense of the lessee or lessees, to procure for such convict an untransferable pass or ticket to the railroad station nearest his place of residence when convicted, and money sufficient to transport him to the county seat of the county in which he resided when convicted, and to place such convict on board a train going in that direction when about starting, and such convict shall be furnished by the lessee or lessees with a substantial suit of clothes.

At the adjournment of any court or the disposal of the criminal docket, it shall be the duty of the clerk of the court to notify the lessee or lessees of the of number of convicts for the penitentiary: *Provided*, that no counties where, because of the insufficiency of the county jail, or for any other cause, the court may be of opinion that the safe-keeping of the convicts may require it, the court may order the immediate removal of convicts to the penitentiary or to the nearest branch prison at the cost of the lessee or lessees before the expiration of the time allowed to remove said convicts: *Provided*, that the lessee or lessees shall not be charged with a larger sum or amount for the removal of such convicts to the penitentiary or branch prisons than the rate and amount it usually costs the lessee or lessees for similar service.

Clerks of
Courts to noti-
fy lessees of
convictions.

SEC. 29. *Be it further enacted*, The buildings, shops, and any other property belonging to the State, connected with said penitentiary may be insured by the Inspectors, but in the event the said Inspectors shall fail for the space of twenty days after the lease, herein provided for, shall go into effect, then the lessee or lessees may insure the same, and have a credit for the amount of the premiums paid by them on the amount due the State from said lessee or lessees: *Provided*, that in case of loss, the insurance money is to be used for the benefit of the State in replacing the property destroyed, under the direction of the Inspectors: *Provided*, there shall be one Assistant Warden at each of the branch prisons, to be appointed and subject to removal by the Superintendent of prisons. The salary of each Assistant Warden shall be fixed by the Superintendent, provided said salary shall not exceed nine hundred dollars for large prisons, and six hundred dollars for smaller prisons, and that the Superintendent of prisons shall appoint a Chaplain for each branch prison, whose salary shall not exceed two hundred dollars; both the salaries of the Wardens and the Chaplains to be paid by the lessees.

Insurance of
buildings, etc.

Assistant War-
dens for branch
prisons.

SEC. 30. *Be it further enacted*, That all laws and parts of laws in conflict with the provisions of this Act, be and same are hereby repealed, and that this Act take

effect from and after its passage, the public welfare requiring it.

Passed March 28, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 29, 1883.

WM. B. BATE,

Governor.

CHAPTER CLXXII.

AN ACT to authorize the county of Sullivan to build a Turnpike
• from Bristol to Kingsport, and to issue bonds for such purpose.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the county of Sullivan is authorized and empowered to build a turnpike or macadamized road from Bristol *via* Blountville to the town of Kingsport, in the limits of said county.

Road bed.

SEC. 2. *Be it further enacted,* That said road shall be graded to the width of not less than 15 nor more than 21 feet, and covered with rocks or gravel not less than 12 nor more than 20 feet, and of such thickness and depth as will form a good solid road.

Bonds.

SEC. 3. *Be it further enacted,* That to carry out and secure the provisions of the first and second sections of this Act, the Quarterly County Court of Sullivan county shall have power to issue bonds, payable by said county in thirty years, redeemable at the pleasure of the county after five years, in sums or denominations of \$50, \$100, \$200, \$500 and \$1,000, and bearing interest at a rate not to exceed six per cent *per annum*, payable annually.

Toll gates.

SEC. 4. *Be it further enacted,* That the said County Court may erect toll gates and collect toll as other toll gates; said toll gates to be established at such points as said County Court may direct, but not to be at a closer distance than five miles from each other.

SEC. 5. *Be it further enacted*, That said County Court shall have full power to employ agents and to enforce such rules and regulations in relation to said road, and to secure its proper conduct and management as may be necessary. Regulations.

SEC. 6. *Be it further enacted*, That no bonds issued under and by virtue of this Act, shall be sold or disposed of at less than their par value. No discount.

SEC. 7. *Be it further enacted*, That the said County Court be and is authorized to appoint three commissioners, and which commissioners, with the aid of a competent engineer, shall proceed to locate said road from Kingsport *via* Blountville to Bristol, upon the best route practicable, and who shall make report to the County Court of their action, and the confirmation of said commissioners' report by the County Court, shall be final and conclusive, and no appeal granted therefrom, but before work is begun on said road, the County Court shall pay the land owners whose lands may have been appropriated, reasonable damages, but nothing in this section shall be construed as depriving parties from appealing as to the amount of damages that may have been assessed by said commissioners in their favor. Commissioners.
Damages.

SEC. 8. *Be it further enacted*, That before the bonds are issued as provided for in this Act, it shall be the duty of the County Court of said county, at the first quarterly term after the passage of this Act, to submit the question of the issuance of the bonds provided for in this to Act, a vote of the qualified voters of the county, after giving thirty days' notice, said election to be opened and held at the voting grounds as now provided by law. Those voting for the issuance of the bonds provided for in this Act shall have written or printed on their ballots the words "for bonds," and those voting against the bonds shall have written or printed on their ballots the words "no bonds;" if a majority shall vote for bonds, then it shall be the duty of the County Court to issue the bonds for the purposes provided for in this Act, but if a majority shall be against the bonds then no bonds shall be issued under this Act. Election and ballots.

SEC. 9. *Be it further enacted*, That it shall be the duty of the sheriff of the county to open and hold the election as provided for in this Act, in all respects as he is now required by law to open and hold elections. Sheriff.

SEC. 10. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 24, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 28, 1883.

WM. B. BATE,
Governor.

CHAPTER CLXXIII.

AN ACT to provide for the inspection, analysis and test of commercial fertilizers.

Stamps.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all commercial fertilizers sold or offered for sale in this State, shall by stamp or otherwise distinctly set forth in each package or parcel, the chemical analysis of such fertilizers, the name of the manufacturer, also the place and date of manufacture, and, furthermore, each of said packages or parcels shall be freely submitted to inspection, as herein provided, and shall bear a certificate of inspection (or tag) furnished by the Commissioner of Agriculture and showing authority from the State to sell such fertilizers: *Provided*, that fertilizers sold for less than ten dollars per ton shall not be subject to the provisions of this Act.

Ingredients.

SEC. 2. *Be it further enacted*, That none of said fertilizers shall be sold in said State, unless their analyses shall show a given per cent. of American potash and available phosphoric acid, each one or more to be prescribed by the Commissioner of Agriculture, and all contracts for fertilizers, condemned by this section, shall be void after this Act is of force.

Inspection fee.

SEC. 3. *Be it further enacted*, That before exposure for sale, each package or parcel of said fertilizers shall be inspected as herein provided, and for each ton or fraction of a ton so inspected the sum of fifty

cents shall be paid by the vendor to the inspector or said Commissioner, as may be directed, and that said fees of fifty cents shall be applied first to the expenses of inspection, then to analyse, test, etc., for the benefit of agriculture as herein provided.

SEC. 4. *Be it further enacted*, That the Commissioner of Agriculture shall have power to make the rules and regulations necessary to effect the purpose of this Act, and he shall have further power to appoint inspectors, not exceeding four, at points most convenient to the parties interested therein, and said inspector shall hold office at the pleasure of said Commissioner. Commissioner
of Agriculture.

SEC. 5. *Be it further enacted*, That each of said inspectors, before entering office, shall give bond and security in the sum of two thousand dollars for faithful discharge of duty; he shall, on receipt of the fees, inspect promptly all fertilizers presented to him for that purpose, taking samples and disposing of them as directed, and doing other work connected with the inspection of fertilizers, and for his services he shall receive as compensation proportioned to the work a sum not exceeding one third of the fees by him collected, and in no case to exceed five hundred dollars *per annum*. Bond of In-
spectors.

SEC. 6. *Be it further enacted*, That all of the specimens of fertilizers collected by said inspectors, shall by them be sent, as the said Commissioner may instruct, to the director of the experiment station, inaugurated by the Board of Trustees of the University of Tennessee, and located at Knoxville on the University farm, there to be analyzed, tested and reported, as needed for the benefit of agriculture, and said experiment station is hereby recognized as the experiment station for the State of Tennessee, and to be controlled under the rules now existing, and by the Board of Trustees of the University of Tennessee. Specimens.

SEC. 7. *Be it further enacted*, That the Trustees of the University of Tennessee shall be required to make reports biennially to the Governor of the State, on the assembling of each Legislature, of all the work done under this Act, to wit: The number of packages, parcels and tons inspected, the number of analyses made, whether on public or private account, how many of each class, the amount of inspection fees collected, what disposition was made of the same, the cost of making the analyses, and the balance of cash receipts on hand. Reports of Ex-
periment Sta-
tion.

Additional
stations.

SEC. 8. *Be it further enacted*, That the Legislature may amend this Act at any time, and whenever the receipts arising from inspection fees shall become larger than may be necessary to pay reasonable and just fees for making the analyses, and a fair compensation to the University for its outlay and trouble, the Legislature may establish additional experiment stations in Middle and West Tennessee, and the surplus of the funds in the University of Tennessee arising from the sources named, shall, upon the order of the Governor, be turned into the Treasury of the State, for the purpose of sustaining and supporting such additional experiment stations for making analyses, etc., as may be established in Middle and West Tennessee, by any subsequent Legislature, *provided* the provisions of this Act shall not apply to cotton seed meal and home made manures.

SEC. 9. *Be it further enacted*, That the chemical analyses of the State shall be done under oath to deal impartially and faithfully, and the official certificate of the chemist shall be competent testimony in the courts of this State.

Income.

SEC. 10. *Be it further enacted*, That all of the income over and above the costs of inspection (salaries, express and tags), shall be paid promptly at the end of each month to the Treasurer of the University of Tennessee, to be applied to said tests and analyses of said fertilizers, and to other experiments at the said station connected with the test of said fertilizers; and furthermore, each inspector shall send the said Treasurer a monthly statement itemized of the receipts and expenditures for the month just preceding at his place of inspection, and the said Treasurer must keep and report a separate account of this fund.

Violations.

SEC. 11. *Be it further enacted*, That any person or persons violating any of the provisions of this Act, shall be guilty of a misdemeanor, and on conviction shall be fined not less than one hundred nor more than five hundred dollars for each offense, and the proceeds of said fine be turned over to the station above mentioned.

SEC. 12. *Be it further enacted*, That all laws or parts

of laws in conflict with any of the provisions of this Act,
are hereby repealed.

Passed March 24, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 29, 1883.

WM. B. BATE,
Governor.

CHAPTER CLXXIV.

AN ACT to authorize the Judge of the Common Law and Chancery Court of the county of Madison, to hold the Chancery and Circuit Courts for the county of Chester, and fix the time of holding the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Judge of the Common Law and Chancery Court of the county of Madison, be and is hereby authorized to hold the Circuit and Chancery Courts for the new county of Chester, and that the time for holding said courts, shall be fixed for the Law Court the first Mondays in April, August and December, and for the Chancery Court the fourth Mondays in May and November.

SEC. 2. *Be it further enacted,* That Chapter LX, of the Acts of 1875, be amended so as to read Madison and Chester counties, instead of Madison county, and that this Act take effect from and after its passage the public welfare requiring it.

Passed March 26, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 28, 1883.

WM. B. BATE,
Governor.

CHAPTER CLXXV.

AN ACT to change the lines between Jackson and Putnam counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the lines between Jackson and Putnam counties be so changed as to include all the land of W. P. Lewis in Jackson county.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26, 1883.

W. I. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 28, 1883.

WM. B. BATE,

Governor.

CHAPTER CLXXVI.

AN ACT to repeal section 4 of an Act entitled "An Act to incorporate the Stephenson Academy, in Maury county, and for other purposes," passed May 23, 1866.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section 4 of an Act entitled "An Act to incorporate the Stephenson Academy in Maury county, and for other purposes, passed May 23, 1866, be and the same is hereby repealed.

SEC. 2. *Be it further enacted*, That the incorporators of Zion Female Academy, mentioned in said section of said Act, be and the same are hereby restored to all the rights, titles and interests they held in said property prior to its incorporation.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 28, 1883.

WM. B. BATE,
Governor.

CHAPTER CLXXVII.

AN ACT to amend an Act entitled "An Act for the benefit of Obion county."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act for the benefit of Obion county, passed January 28, 1848, be and the same is hereby amended so as to read: That the State revenue to be collected in the county of Obion for the years 1848, 1849 and 1850, be and the same is hereby loaned to the county of Obion without interest, for the purpose of enabling her citizens to build a court-house for said county, be made perpetual, and that the remainder of said Act be repealed.

SEC. 2. *Be it further enacted*, That the county of Obion shall forfeit any claims it may now have on the State, as to cost for keeping prisoners in felony cases.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 28, 1883.

WM. B. BATE,
Governor.

CHAPTER CLXXVIII.

AN ACT to allow an additional justice of the peace in the Twentieth Civil District of Davidson county, for the town of Goodlettsville.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Twentieth Civil District of Davidson county be and the same is hereby allowed an additional justice of the peace for the town of Goodlettsville, with the jurisdiction and powers of like officers in the State, who shall reside and have his office in said town.

SEC. 2. *Be it further enacted*, That said justice of the peace shall be elected by the qualified voters of said district on the 6th day of May, 1883, upon notice as now required by law.

SEC. 3. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 26, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.
B. F. ALEXANDER,
Speaker of the Senate.

Approved March 28, 1883.

WM. B. BATE,
Governor.

CHAPTER CLXXIX.

A BILL to be entitled an Act to amend an Act entitled An Act to amend sub-sections 4, 10, 13, 14, 15, 38, 39, 45, 51, 52, and 58 of section 7, of an Act passed March 12, 1879, Chapter 84; amended by an Act passed April 4, 1881, Acts of 1881, Chapter 96, and to make sub-section 59 of said sub-section section 98, and to add to the privilege provided for in said section, the privileges as herein provided; passed February 22, 1883, and approved February 27, 1883.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act passed February 22, 1883, and approved February 27, 1883, be and the same is so amended, and the same shall be so construed, as not to apply to any Taxing District in this State, which has, at the time of the passage of this Act, a population of less than thirty thousand.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 28, 1883.

WM. B. BATE,

Governor.

CHAPTER CLXXX.

AN ACT to cede to the United States of America exclusive jurisdiction over a certain lot of land situated on the northwest corner of Market and Baltimore streets, in the city of Jackson, Madison county, Tennessee, selected as a site for a government public building in said city of Jackson.

WHEREAS, The Secretary of the Treasury of the United States has, pursuant to law, selected as a site for the erection of a public building for the accommodation of the United States courts, post-office and other government offices in the city of Jackson, Madison county, Tennessee, a certain lot of land on the northwest corner of Market and Baltimore streets, in said city of Jackson, fronting one hundred and seven feet on Market street, two hundred and ten feet on Baltimore street, and one hundred and seven feet on Shannon street, and has accepted the proposal of the present owner for a sale of the same to the United States for the purposes aforesaid; therefore

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That exclusive jurisdiction over the said tract or parcel of land, with all the appurtenances thereto belonging so as aforesaid selected as a site for such public building, including all buildings erected and to be erected thereon, be and it is hereby ceded and granted to the United States of America by the State of Tennessee.

SEC. 2. *Be it further enacted*, That said land with the appurtenances thereto belonging, together with all buildings erected and to be erected thereon by the United States of America and improvements made thereon by them, be and they are hereby entirely exonerated and free from any taxation or assessment by the authority of the State of Tennessee, or of any county or municipality therein during the time the United States of America shall be or remain the owner thereof; and no process of any court of this State shall be permitted against the same, or in any way dispossess any of the officers or agents of the United States of America of the same.

SEC. 3. *Be it further enacted*, That this Act shall take effect and be in force from and after and upon the payment, by the United States of America, to the present

owner thereof of the agreed purchase price of the said lot or tract of land, the public welfare requiring it.

Passed March 26, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD.

Speaker of the House of Representatives.

Approved March 28, 1883.

WM. B. BATE,

Governor.

CHAPTER CLXXXI.

AN ACT to amend an Act passed March 7, 1879, entitled "An Act for the more rigid collection of the revenue."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That section 1 of an act passed March 7, 1879, entitled "An Act for the more rigid collection of the revenue," be so amended as to read as follows: That all collectors of taxes are hereby made assessors to assess all property which by mistake of law or fact has not been assessed, whether the omission be for the particular year for which the collector is acting, or for any previous year or years, and it is hereby made the duty of such collectors, in all cases where property has not been assessed, but on which taxes ought to be paid by law, to immediately assess the same, and proceed to collect the taxes; and such collectors are hereby authorized to assess and collect taxes upon property for all the years for which taxes ought to have been paid upon such property, but have not been paid in consequence of the errors or omissions of former collectors or assessors, and if the owner of the property admits the liability of the property to taxation, but dispute the assessment, he may have a revaluation before the Judge or Chairman of the County Court, at any time within one month, and in such case the Judge or Chairman aforesaid may hear proof and fix the assessment or valuation, and the same shall be final.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed, March 26, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 28, 1883.

WM. B. BATE.
Governor.

CHAPTER CLXXXII.

AN ACT to amend section 190 of the Code of Tennessee, to change time of commissioners holding office.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section 190 of the Code of Tennessee be amended as follows: Strike out the words "during the pleasure of the Governor," and insert the words "four years," and that all commissions date from and after the passage of this Act.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 28, 1883.

WM. B. BATE,
Governor.

CHAPTER CLXXXIII.

AN ACT to increase the number of terms of the Circuit Court of Shelby county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Act of 1869-70, Chapter 28, section 9, and all other laws providing for the holding of terms of the Circuit Court of Shelby county, are hereby amended as provided in the second section of this Act.

SEC. 2. That hereafter there shall be held five regular terms of the Circuit Court of Shelby county, commencing on the third Mondays in January, March, May, September and November of each year.

Passed March 26, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 28, 1883.

WM. B. BATE,
Governor.

CHAPTER CLXXXIV.

AN ACT to amend an Act passed March 19, 1877, entitled "An Act to prohibit the sale of intoxicating liquors near institutions of learning."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section 2 of said Act be so amended as to read as follows: That this Act shall not apply to the sale of such liquors within the limits of any incorporated town, except it be within the limits of corporations organized under the Act of 1882, Chapter 127, known as Taxing Districts of the second class, to which it shall apply, and within which such sales shall be un-

lawful, nor to sales by manufacturers of such liquors in wholesale packages or quantities.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 28, 1883.

WM. B. BATE,

Governor.

CHAPTER CLXXXV.

To enlarge the powers of the Bristol and North Carolina Narrow Gauge Railway Company, and to change its name.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the charter of the Bristol and North Carolina Narrow Gauge Railway Company, and an amendment thereto granted under the general laws of the State, and by virtue whereof said company has been duly and legally organized, to be and the same is hereby ratified and confirmed, and that in addition to the general corporate powers already possessed by said company, it shall be lawful for it to consolidate and unite with the North Carolina and Tennessee Railroad Company on such terms and by such articles of agreement as the two companies may agree upon to form one and the same corporation, under a name to be agreed upon by them, and to be managed by a President and Directors, and such officers as the by-laws of the consolidated company may provide for, for the purpose of constructing a railroad of any gauge authorized by their respective charters before consolidation, from or near the town of Bristol, Tennessee, to some point east of the Blue Ridge to connect with existing railroads in North Carolina, or to the Atlantic coast in said State; and also

such branches as the existing charters provide for, or as may be necessary for the development of the country adjacent to the main line in any of the counties mentioned in said original charters.

SEC. 2. An authenticated copy of the articles of consolidation shall be filed with and recorded by the Secretary of State within three months after the date thereof.

SEC. 3. It shall be lawful for said consolidated company to fix the amount of its capital stock, and of any bonded debt it may create, at such sum, not exceeding twenty-five thousand dollars (\$25,000) per mile, as they may agree upon: *Provided*, the amounts be the same per mile in both States, Tennessee and North Carolina, and to secure the payment of its bonds to execute and record a consolidated mortgage, to be recorded in each State, in accordance with its laws, and after being so recorded to be binding upon the franchises and property of such consolidated company, and of the original companies parties to such agreement of consolidation, as fully as if made by the said two companies severally and before consolidation.

SEC. 4. This Act shall be in force from its passage.

Passed March 26, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 28, 1883.

WM. B. BATE,

Governor.

CHAPTER CLXXXVI.

AN BILL to be entitled an Act to define the measure of damages recoverable in case of the death of a person caused by the wrongful act, fault or omissions of another.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That where a person's death is caused by the wrongful act, fault or omission of another, and suit is brought for damages as provided for by sections

2291 and 2292 of the Code of Tennessee, and as provided for by Act approved December 14, 1871, Chapter 78, entitled "An Act to amend sections 2291, 2292 of the Code of Tennessee, the party suing shall, if entitled to damages, have the right to recover damages for the mental and physical suffering, loss of time and necessary expenses resulting to the deceased from the personal injuries, and also the damages resulting to the parties for whose use and benefit the right of action survives from the death consequent upon the injuries received.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 28, 1883.

WM. B. BATE,

Governor.

CHAPTER CLXXXVII.

AN ACT entitled An Act to abolish the charter of the town of Lynnville Station, in Giles county, Tennessee, and to repeal sections 91, 92, 93, 94, 95, 96, 97, 98, 99, and 100 of an Act entitled An Act to reduce the charter of the city of Memphis, and the several acts amendatory thereof into one Act, and to revise the same, passed December 1, 1869.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That sections 91, 92, 93, 94, 95, 96, 97, 98, 99 and 100 of an Act passed December 1, 1869, entitled An Act to reduce the charter of the city of Memphis, and the several Acts amendatory thereof into one Act, and to revise the same, be, and the same are hereby repealed: *Provided*, that this Act shall not be so construed as to impair the obligation of any existing liability which said corporation has heretofore created.

SEC. 2. *Be it enacted*, That all laws or parts of laws in conflict with this Act be, and the same are hereby repealed.

SEC. 3. *Be it further enacted*, That this Act shall take effect thirty days after its passage, the public welfare requiring it.

Passed March 26, 1883

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 29, 1883.

WM. B. BATE,

Governor.

CHAPTER CLXXXVIII.

AN ACT to amend the criminal laws of the State.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section 4677 of the Code be so amended as to read: Grand larceny is that felonious taking and carrying any personal goods over the value of thirty dollars, and petit larceny of goods not exceeding in value thirty dollars.

SEC. 2. *Be it further enacted*, That sections 4683 and 4684 of the Code be so amended that the punishment for the crime of fraudulently receiving, buying, concealing, or aiding in the concealment of goods not exceeding the value of thirty dollars, which have been stolen from another, shall be the same as that for petit larceny: *Provided*, that this act shall in nowise apply to offenses committed prior to its passage, and that all offenses committed prior thereto shall be tried and punished under existing laws.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 26, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 28, 1883.

WM. B. BATE,
Governor.

CHAPTER CLXXXIX.

AN ACT to authorize the counties of Trousdale and Macon to issue bonds for the purpose of building a turnpike.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the County Courts of the counties of Trousdale and Macon be and the same are hereby authorized to issue county bonds signed by the Chairman of the County Court, and countersigned by the County Court Clerk, with his official seal affixed to the same, in the sums of \$50, \$100 and \$1,000. Said bonds to bear six per cent interest annually.

Authority to
issue bonds.

Coupons.

SEC. 2. *Be it further enacted*, That each bond shall have attached to it ten coupons showing the amount of each annual installment and interest on said bond, and when the same shall fall due, which shall be signed in the same manner as the bond, without the official seal of the Clerk, which coupons, when due, shall be receivable in payment in county taxes for each respective county, and when so received or paid off by the Trustee of the county, shall be by him cancelled by perforation and by stamping on the face of the same the date of such payment, to be by him held as his voucher for the payment on his settlement with the Revenue Commissioner of the county, who shall file them with the Clerk of the County Court, to be preserved as a part of the records of his office.

SEC. 3. *Be it further enacted*, That the Chairman of the County Court shall issue said bonds to such parties doing

work or contracting on said roads, and as shall furnish means or moneys for doing such work in such amounts as above set forth, as they may be entitled to for said purposes under the direction and instructions of the Quarterly Court. Disposal of the bonds.

SEC. 4. *Be it further enacted*, That in order to meet the annual payment of the coupons on the said bonds as they fall due, the County Court shall, at the time it levies the taxes for other purposes in each year, levy a special tax on all taxable property and privileges in the county sufficient to pay said annual interest, the same to be collected by the Trustee as other taxes are collected, said tax shall be paid in cash or coupons then due, and shall be used for no other purpose except for the payment of said instalments of interest. Interest tax.

SEC. 5. *Be it further enacted*, That the name of the party to whom each bond is issued, with the number, date and amount of each, shall be entered by the Chairman, as the same is issued, in a well-bound book, to be by him turned over to the Trustee of the county and by him kept, and as he pays and takes up the coupons he shall enter the date of payment and amount of said coupons under its corresponding bond. Register.

SEC. 6. *Be it further enacted*, That the Chairman and Clerk of the County Court shall be allowed such compensation for their services under this act as the court at its quarterly term shall allow. Pay of officers.

SEC. 7. *Be it further enacted and provided*, That this Act shall not be put into effect to any extent, or bonds issued under this Act, until at an election to be held in each county, at the various precincts therein, at such times as as shall be designated by their respective County Courts, upon at least sixty days' notice, it shall be determined by a majority of votes of the respective counties that they favor the issuance of said bonds for said purposes, and when so decided by the vote aforesaid, then said bonds shall issue under the provisions of this Act. Popular vote.

SEC. 8. *Be it further enacted*, That said bonds shall not be sold or let out for less than their par value.

SEC. 9. *Be it further enacted*, That this Act take effect from and after its passage.

Passed March 26, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 28, 1883.

WM. B. BATE,

Governor.

CHAPTER CXC.

AN ACT to settle and pay off the indebtedness due by the late city of Memphis to the Policemen, Firemen, Hospital, Square-keepers, street force, and those feeding the city prisoners for the year 1878, and January, 1879.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That when any of the policemen or firemen, hospital employees, square-keepers or street force, or those who fed the city prisoners, their heirs or representatives, still owning their claims for services to the late city of Memphis for the year 1878, and the month of January 1879, it shall be the duty of the receiver, or person collecting the back taxes of said extinct municipality of Memphis, to receive the said claims at par in payment of such back taxes due for the years 1875 and 1876, and the amount of such claims appearing on the ledger of said late city of Memphis, as due to any of the parties aforesaid, shall be taken as *prima facie* evidence of the amounts due to each of them respectively, and unless said ledger shows a transfer or assignment of the same to some one else, said ledger balance shall be taken as *prima facie* evidence that the party there shown to be entitled to such balance is still the owner of the same.

SEC. 2. *Be it further enacted*, That the benefits of this Act shall not be construed to extend to or include any assignee or transferee of any of said claims, when

the transfer or assignment thereof was made before the passage of this Act ; but only the parties mentioned in the first section of this Act shall be entitled to the benefits hereof, and their assignees since the passage of this Act.

SEC. 3. *Be it further enacted*, That this act take effect from and after its passage the public welfare requiring it.

Passed March 27, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 28, 1883.

WM. B. BATE,

Governor.

CHAPTER CXCI.

AN ACT to amend section 2 of an Act passed 15th of February, 1866, entitled "An Act to incorporate the town of Milan, in Gibson county, and for other purposes."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section 2 of an Act passed 15th of February, 1866, entitled "An Act to incorporate the town of Milan, Gibson county, and for other purposes," be so amended as to read as follows: Commencing after the word duty in the last line of said section, that said Board of Mayor and Aldermen may appoint one of said Aldermen to act as Mayor and Recorder in the absence, sickness or incompetency of the Mayor, and the said Alderman so appointed shall be vested with all the authority and powers of Mayor and Recorder while acting.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 27, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 28, 1883.

WM. B. BATE,

Governor.

CHAPTER CXCII.

AN ACT to change the time of holding the February term of the Chancery Court at Brownsville in the Tenth Chancery Division.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That hereafter the February term of the Chancery Court at Brownsville, in the Tenth Chancery Division, shall be held on the first Monday of February of each year, instead of the second Monday of February, as now provided by law.

SEC. 2. *Be it further enacted*, That so much of section 107b of Thompson and Steger's Code as is in conflict with this Act, and all other acts in conflict with the provisions of this Act, be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 27, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 28, 1883.

WM. B. BATE,

Governor.

CHAPTER CXCIIL.

WHEREAS, The fractional part of Loudon county taken from Blount is liable to the said Blount county for her *pro rata* of all liabilities of indebtedness incurred before the formation of the new county of Loudon; and

WHEREAS, The County Courts of said counties have appointed a commission to ascertain the exact amount of indebtedness of the Loudon fraction to Blount county; therefore,

Be it enacted by the General Assembly of the State of Tennessee, That the Sheriff of Loudon county be authorized to open and hold an election on the first Thursday in August, 1883, for the purpose of ascertaining the voice of the people of said county in reference to assessing the railroad liability of said fraction to Blount county.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring.

Passed March 27, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 28, 1883.

WM. B. BATE,
Governor.

CHAPTER CXCIIV.

AN ACT to abolish the charter of the town of Whiteville, Hardeman County, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the charter of the town of Whiteville, in Hardeman county, Tennessee, granted by

the County Court of said county, be and the same is hereby abolished.

SEC. 2. *Be it further enacted*, That this Act take effect from and after the first day of September, 1883, the public welfare requiring it.

Passed March 27, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 28, 1883.

WM. B. BATE,
Governor.

CHAPTER CXCV.

AN ACT to change the line between Scott and Campbell county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county line between the counties of Campbell and Scott be so changed as to include the lands of Milton S. Cross, in the county of Scott; detach the same from the county of Campbell, and attach the same to the county of Scott, said land lying on the waters of Strait Fork Creek, and on said line between said counties, about two hundred acres, and known as the Larkin W. Cross farm.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage.

Passed March 22, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 27, 1883.

WM. B. BATE,
Governor.

CHAPTER CXCVI.

AN ACT to amend sections 69 and 97 of an Act passed February 22, 1883, and approved by the Governor February 27, 1883 entitled A Bill to be entitled An Act to amend sub-sections 4, 10, 13, 14, 15, 38, 39, 45, 51, 52, 58 of section 7 of an Act passed March 12, 1879, Chapter 84, amended by an Act passed April 4, 1881, (Acts of 1881, Chapter 96,) and to make sub-section 59 of said section sub-section 98, and to add to the privileges, provided for in said section, the privileges herein provided

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That section 69 of a bill entitled An Act to amend sub-sections 4, 10, 13, 14, 15, 38, 45, 51, 52, 58 of section 7 of an Act passed March 12, 1879, Chapter 84, amended by an Act passed April 4, 1881, (Acts of 1881, Chapter 96,) and to make sub-section 59 of said section, sub-section 98, and to add to the privileges of said section the privileges as herein provided read as follows: Cotton ginning establishments \$50 instead of \$100.

SEC. 2. *Be it further enacted,* That section 97 of said Act be amended as follows: Bucket-shops or Brokerage Associations, dealing in futures, or taking orders for futures, \$1,000.

SEC. 3. *Be it further enacted,* That this act take effect from and after its passage the public welfare requiring it.

Passed March 27, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 28, 1883.

WM. B. BATE,
Governor.

CHAPTER CXCVII.

AN ACT to abolish the charter of the town of Denmark, in Madison County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the act of the General Assembly, so much thereof and no more, as incorporated and conferred corporate powers on the town of Denmark, in Madison county, is hereby repealed, and the charter and incorporation of said town is hereby abolished.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 22, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 26, 1883.

WM. B. BATE,

Governor.

CHAPTER CXCVIII.

AN ACT to amend section 3981 of the Code of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section 3981 of the Code of Tennessee be amended so as to read as follows: The County Court of each county shall, at its quarterly session, held next preceding each term of the Circuit Court, appoint the jurors to serve at the next succeeding court; *Provided*, that no person shall be summoned or serve on the venire who has served on a venire for a period of two years preceding.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring the same.

Passed March 21, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 26, 1883.

WM. B. BATE,

Governor.

CHAPTER CXCI.

A BILL to be entitled An Act to provide for the regulation of railroad companies, and persons operating railroads in this State; to prevent discrimination upon railroads in this State; and to provide for the punishment for the same; and to appoint a railroad commission.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the main track and all the branches of every railroad in this State is a public highway, over which all persons have equal rights of transportation for passengers and freights, on the payment of just and reasonable compensation to the owner of the railroad for such transportation; and any person or corporation engaged in the business of transporting passengers or freights over any railroad in this State who shall exact and receive for any such transportation more than just and reasonable compensation for the services rendered, or demand, more than the rates specified in any bill of lading issued by such person or corporation, or who for his or its advantage, or for the advantage of any connecting line, or of any person or locality shall make any unjust and unreasonable discrimination in transportation against any individual, locality or corporation, shall be guilty of extortion, and in every case it shall be for the jury to determine from all the evidence whether more than just and reasonable compensation was exacted and received, or whether any such discrimination

Special rates.

transportation which may be established by the evidence against the individual, locality or corporation, as the case may be, was made for the benefit or advantage of the person or corporation operating such railroad, or of any person or locality : *Provided*, that nothing in this Act shall be construed to prevent contracts for special rates for the purpose of developing any industrial enterprise, or to prevent the execution of any contract now existing.

Damages—recovery.

SEC. 2. *Be it further enacted*, That the party injured may recover of the person or corporation guilty of extortion, as defined in this Act, ten times the amount of damages sustained by the overcharge or unjust discrimination, as the case may be, and a reasonable fee for the counsel prosecuting the case in any court having jurisdiction of the amount, in any county, where the person or corporation operating the railroad does business ; but if it appears that the service in which the extortion was committed was done at rates or upon terms previously approved by the Railroad Commission hereinafter established, only actual damages, and no attorney's fee shall be recovered.

Violations.

SEC. 3. *Be it further enacted*, That it shall be the duty of the commission to investigate and determine whether the provisions of this bill have been violated ; and whenever said commissioners shall become satisfied that any railroad corporation has violated any of the provisions of this Act, they shall immediately cause suit or suits to be commenced and prosecuted against any railroad corporation guilty of such violation in any court having jurisdiction of the subject matter. Said suit shall be prosecuted in the name of the State of Tennessee, and conducted by the Attorney General of the judicial circuit in which the same is instituted under the direction of said commissioners, and no suit so instituted shall be dismissed without their consent ; all moneys so collected shall be paid into the State treasury. If upon the trial of any cause for the recovery of the penalties provided in this bill the jury shall find for the State, they shall assess and return with their verdict the amount of the penalty to be imposed on the defendant at any amount not less than \$100, nor more than \$1,000, and the court shall render judgment accordingly.

Suits.

Penalty.

Evidence.

SEC. 4. *Be it further enacted*, That in all suits or proceedings under this statute the defendant may give in evidence the fact that the rates or terms in respect to which extortion is alleged had been previously approved by the Railroad Commission hereinafter established, and

such approval shall be *prima facie* evidence that such rates or terms were not extortionate.

SEC. 5. *Be it further enacted*, That no rates or charges for service in the transportation of freight over any railroad shall be held or considered extortionate or excessive under any proceeding under this Act, if it appears from the evidence that the net earnings of such railroad transporting freight, if done without such discrimination on the basis of such rate or charge, together with the net earnings from its passenger and other traffic, would not amount to more than a fair and just return on the value of which such railroads with its appurtenances and equipments to be assessed for taxation. Just charges.

SEC. 6. *Be it further enacted*, That all actions to recover damages under this Act shall be commenced within six months after the cause of action accrues. Limitations.

SEC. 7. *Be it further enacted*, That the foregoing sections of this Act shall not take effect until the first day of July, 1883.

SEC. 8. *Be it further enacted*, That it shall be the duty of all persons or corporations in this State, who shall own or operate any railroad therein, to publish by posting at all the depots the tariffs of rates, which have been approved by said Commission, for transporting freights, showing the rates for each class, including general and special rates, and it shall be unlawful for such person or corporation to make any reduction or rebate from such tariff in favor of any person or corporation which shall not be made in favor of all other persons or corporations by a change in such published rates. Tariffs of rates

SEC. 9. *Be it further enacted*, That it shall be unlawful and within the prohibition of this Act for any railroad corporation, doing business in this State, to make any contract, agreement or arrangement with any other railroad corporation, or with any common carrier by water in respect to the transportation of freights of any description, from any place within this State by which it is to transport only a certain portion of such freights or by which it is to refuse to transport such freights or any portion thereof, or by which any common carrier, by water, is to refuse to transport such freights or any portion thereof, or by which it is to receive any sum of money or anything of value for not transporting all or any part of such freights, or by which it is to pay any sum of money, or part with anything of value as an inducement to any other railroad corporation or common carrier by water, not to compete with it in the transpor- Collusions
illegal.

tation of such freights, or by which it and other railroad corporations or common carrier, by water, distribute among themselves for transportation according to percentages, any freights offered for shipment; and railroad corporations are required to remove freights when delivered or offered for shipment to the extent of their facilities without unnecessary delay and without regard to any contract, agreement or arrangement expressed or implied as aforesaid, and all railroad corporations refusing or neglecting so to do are hereby declared to be subject to the penalties imposed by this Act.

Freight free. SEC. 10. *Be it further enacted,* That this act shall not prevent any railroad company from transporting freight free of charge, provided it is not done to evade the provisions of this act.

Railroad Commission. SEC. 11. *Be it further enacted,* That it shall be the duty of the Governor to nominate three competent persons, one from each grand division of the State, subject to the confirmation of the Senate, if in session, who shall constitute the railroad commission of the State of Tennessee, and the commissioners, after qualifying, as prescribed in section 11 of this act, shall proceed to elect one of their number as president and one as secretary; and said commissioners shall hold their offices until the first day of January, 1885, and their successors shall be elected by the qualified voters of the State at the November election in 1884, and every two years thereafter.

Status. oath, term, qualifications. SEC. 12. *Be it further enacted,* That said Railroad Commissioners shall be State officers, and before entering on their duties shall take the oath of office prescribed for other State officers, and may be impeached and removed from office for the same causes and in the same manner as other State officers. They shall hold office for two years and until their successors respectively are duly elected or appointed and qualified, and any vacancy shall be filled by the Governor; the person so appointed shall hold office until his successor is duly appointed, confirmed and qualified as above provided. No person in the employ of any railroad corporation, or other person owning or operating a railroad in this State, or owning any stock in any railroad corporation, shall be nominated by the Governor as a member of such commission, and any commissioner who shall accept any gift, gratuity or emolument, or employment from any person or corporation owning or operating a railroad in this State, during his continuance in office, except a permit for himself to pass over the railroad of such person or

corporation, shall forfeit his office and may be impeached and removed from office for that cause as well as any of the causes specified by law for the impeachment of other State officers.

SEC. 13. *Be it further enacted,* That it shall be the duty of the commission to consider and carefully revise all tariffs of charges for transportation of any person or corporation owning or operating a railroad in this State, and if in the judgment of the commission any such charge is more than just and reasonable compensation for the service for which it is proposed to be made, or if any such charges amount to unjust and unreasonable discrimination against any person, locality or corporation, the commission shall notify the person or corporation of the changes necessary to reduce the rate of charges to just and reasonable compensation and to avoid unjust and unreasonable discrimination ; when such changes are made or when none are deemed proper and expedient, the members of the commission shall append a certificate of its approval to such tariff or charges, and in case such change shall not be made, or if any charge subsequently made shall not conform thereto, said corporation shall be held *prima facie* guilty of extortion.

Duties of the
Commission.

SEC. 14. *Be it further enacted,* That it shall be the duty of said Commission to hear all complaints made by any person against any such tariff or rates so approved, on the ground that the same in any respect is for more than just and reasonable compensation, or that such charges or any of them, amount to or operate so as to effect unjust and unreasonable discrimination, such complaint must be in writing and specify the items in the tariff against which complaint is made, and if it appears to the commission that there may be justice in the complaint, or that the matters ought to be investigated, the commission shall forthwith furnish to the person or corporation operating the railroads a copy of the complaint together with notice that, at a time and place stated in the notice, the tariff as to said items will be revised by the commission, and at such time and place it shall be the duty of the commission to hear the parties to the controversy, or by counsel, and such evidence as may be offered, oral or in writing, and may examine witnesses on oath, conforming to the mode of proceedings as nearly as may be convenient to that required of arbitrators, giving such time and latitude to each side, and regulating the opening and conclusion of any argument as the commission may consider best adapted to arrive at the truth, and

Complaints.

Schedule of
rates.

when the hearing is concluded, the commission shall give notice of any changes deemed proper by them to be made, to the person or corporation operating the railroad. And any subsequent charge higher than the amount fixed shall be *prima facie* evidence of extortion. And all railroad companies or persons operating railroads in this State shall make out and deliver for revision to the Commissioners a schedule of their rates of charges for the transportation of freights, cars and passengers, within twenty days after the president or superintendent is notified by the commissioners that they are ready to consider the same, and on failure to do so said railroad company, or other persons so operating said railroad, shall be liable to a fine of \$100 for every day of said failure after the expiration of said twenty days; and said railroad company or other persons operating any railroad shall have the right to appear and make such proof as they may desire in regard to revision by said commissioners, under such regulations as the commissioners may prescribe.

Office at Capitol.

Salaries.

SEC. 15. *Be it further enacted*, That said commission shall have an office at the Capitol, and shall meet there on the first monday in every month, and shall remain in session until all business before them is disposed of; and shall hold other sessions at such times and places as may be necessary for the proper discharge of their duties, or as the convenience of parties in the judgment of the commission may require. The members of said commission shall each receive a salary of two thousand dollars, unless restrained by law from the performance of their duties, to be paid as the salaries of the other State officers. It shall be the duty of the commission to keep a record of all its proceedings, which shall be open at all times to the inspection of the public.

Expenses.

SEC. 16. *Be it further enacted*, That all money paid out under this act shall be paid on warrant of the Comptroller to the Treasurer, as by law provided, including such sum as may be necessary to procure office furniture, stationery and other office expenses, including rent of office of said commission: provided that such office expenses shall not exceed five hundred dollars per annum.

Repairs, improvement, or changes.

SEC. 17. *Be it further enacted*, That whenever in the judgment of the railroad commission, it shall appear that repairs are necessary upon any such railroad, or that any addition to the rolling stock, or any addition to or change of the station or station houses, or any change in the rates of fares for transporting freight or passengers,

or any change in the mode of operating the road and conducting its business, is reasonable and expedient in order to promote the security, convenience and accommodation of the public, they shall give information in writing to the corporation of the improvements and changes which they adjudge to be proper, and a report of the proceedings shall be included in the annual report of the Commission to the Legislature.

SEC. 18. *Be it further enacted*, That the said Commissioners shall have the right to pass free of charge in the performance of their duties on all the railroads in this State. That said Commissioners shall have general supervision over all the railroads of Tennessee, and shall examine the same from time to time, and keep themselves informed as to their condition, and the manner in which they are operated with reference to the security and accommodation of the public, and the compliance of the several corporations with their charters and the laws of the State.

General supervision.

SEC. 19. *Be it further enacted*, That said Commission shall, as often as they deem it necessary, examine the several railroads in this State, and shall recommend in writing to the several railroad companies, or any of them, from time to time, the adoption of such measures and regulations as said Commissioners deem conducive to the public safety and interest.

Regulations for public safety.

SEC. 20. *Be it further enacted*, That the managers operating the several railroads of this State shall furnish the said commission with all the information required, relative to the management of their respective lines, and particularly with copies of all leases, contracts and agreements for transportation with express, sleeping-car, or other companies, to which they are parties, with schedules of tariff rates.

Leases, contracts, etc.

SEC. 21. *Be it further enacted*, That the several railroad companies, trustees or receivers, or other persons operating railroads in this State, be and are hereby required to make annual returns of their business to the Board of Commissioners on or before the 1st day of September of each year, made up to the close of business on the 30th day of June next preceding, which annual returns shall be made in duplicate, in the manner prescribed by said Commissioners, upon the blank forms to be furnished by said Commissioners to said railroad companies. Any railroad company which shall neglect or refuse to make such terms shall forfeit to the State \$100 for each day of such refusal or neglect.

Returns of railroad business.

Commissioners
to have notice
of accidents.

SEC. 22. *Be it further enacted,* That every railroad company shall, within twenty-four hours after the occurrence of any accident to a train, attended with serious personal injury on any portion of its line within the limits of the State, give notice of the same to the Railroad Commissioners, who, upon receiving such notice, or upon public rumor of such accident, may repair, or dispatch one or more of their number to the scene of said accident, and inquire into the facts and circumstances thereof, which shall be recorded in the minutes of their proceedings and embraced in their annual report.

Witnesses.

SEC. 23. *Be it further enacted,* That the said Commissioners may summon and examine under oath such witnesses as they may think proper in relation to the affairs of any railroad company.

Reports to the
Governor.

SEC. 24. *Be it further enacted,* That the Board, through their Chairman, shall make annual reports to the Governor, on or before the 1st day of December in each year, for transmission to the Legislature, of their doings for the year ending on the 30th day of June next preceding, containing such facts as will disclose the actual workings of the railway system in this State, and such suggestions as to the general railroad policy of the State as may seem to them appropriate. They shall also submit such recommendations for further legislation upon the subjects of railroads as they may deem necessary or advisable for the interests of the State.

List of stock-
holders.

SEC. 25. *Be it further enacted,* That the Railroad Commissioners shall have at all times access to the list of stockholders of every corporation operating a railroad in this State, and may in their discretion at any time cause the same to be copied in whole or in part for their own information, or for the information of persons owning stock in such corporations.

Co-operation
with other
States.

SEC. 26. *Be it further enacted,* That it shall be the duty of the Railroad Commission, by correspondence, conventions or otherwise, to confer with the Railroad Commissioners of other States of the Union, and with such persons from States having no Railroad Commissioners, as the Governor of such States may appoint, for the purpose of agreeing, if practicable, upon a draft of statutes to be submitted to the Legislature of each State, which shall secure such uniform control of railroad transportation in the several States, and from one State into or through another State, as will best subserve the interest of trade and commerce of the whole country; and said commission shall include in their annual report

to the Governor an abstract of the proceedings of any such conference or convention.

SEC. 27. *Be it further enacted*, That no person holding the office of Railroad Commissioner shall, during his continuance in office, personally or through any partner or agent, render any professional services, or make or perform any business contracts with or for any railroad owned or operated in this State, excepting contracts made with such railroad in its capacity as common carrier.

SEC. 28. *Be it further enacted*, That nothing in this act contained shall be construed to affect in any manner or degree the legal duties, rights and obligations of any railroad corporation or other person owning or operating any railroad in this State, or its legal liability for the consequences of its neglect or mismanagement, whether adjudged by said Commission to be reasonable, expedient and proper or not. Legal liability.

SEC. 29. *Be it further enacted*, That none of the provisions of this act shall apply to any railroad now being constructed, or which may hereafter be begun and constructed in this State, until ten years from and after after the completion of such new railroad. Ten years' exemption.

SEC. 30. *Be it further enacted*, That witnesses summoned to appear before said Commission shall be entitled to the same *per diem* and mileage as witnesses attending the Circuit Court; witnesses summoned by the Commissioner shall be paid by warrant on the treasury, to be drawn by the Comptroller on the certificate of the President of the Board of the amount to which such witness is entitled. Witnesses summoned by any party to be paid by the party by whom they are summoned. And the Commissioners are hereby clothed with the same power to enforce the attendance of witnesses as is now possessed by any court of record. Pay of witnesses.

SEC. 31. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 29, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 30, 1883.

WM. B. BATE,

Governor.

CHAPTER CC.

A BILL to be entitled An Act to amend Section 8 of the Act to establish Taxing Districts in this State, and to provide the means of local government for the same, passed January 29, 1879, approved January 31, 1879, Acts of 1879, Chapter XI., p. 15, with amendatory Act passed March 12, 1879, and approved March 12, 1879, Acts of 1879, Chapter 84, p. 98.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section 8 of the said Act be and the same is hereby amended so as to read as follows: That said Police and Fire Commissioners shall fix the pay of policemen and firemen as follows: Chief of Police not exceeding \$150 per month; Chief of Fire Department not exceeding \$150 per month; Captains of Police not exceeding \$110 per month; Captains of Fire Department not exceeding \$90 per month; Sergeants of Police not exceeding \$100 per month; Engineers of Fire Department not exceeding \$80 per month; Police Clerk not exceeding \$80 per month; Detectives not exceeding \$80 per month; Station-house keepers not exceeding \$80 per month; Turnkeys not exceeding \$75 per month; other subordinate policemen and firemen not exceeding \$75 per month.

SEC. 3. *Be it further enacted*, That all laws and parts of laws in conflict with the above be, and the same are hereby repealed.

Passed March 27, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 28, 1883.

WM. B. BATE,

Governor.

CHAPTER CCI.

A BILL to be entitled An Act to change the line between the counties of Carter and Unicoi.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county line between the counties of Carter and Unicoi be so changed as to run as follows: Beginning at the State line between North Carolina and Tennessee on the top of Rickels Ridge; thence with the top of the Dividing Ridge to the top of Stone Mountain; thence a direct line to the top of the Honey Comb Mountain.

SEC. 2. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be, and the same are hereby repealed, and that this Act take effect from and after its passage the public welfare requiring it.

Passed March 27, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 28, 1883.

WM. B. BATE,

Governor.

CHAPTER CCII.

AN ACT to repeal An Act incorporating the town of Lewisburg in the county of Marshall, and to abolish the corporation of said town.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act passed December 16, 1837, and entitled An Act to incorporate the inhabitants of the town of Lewisburg in the county of Marshall, and all Acts amendatory thereof, be and the same are hereby repealed, and the corporation of said town of

Lewisburg be abolished: *Provided*, that the coporate debt, if any, shall in no way be released by the repeal of said charter.

SEC. 2. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be and the same are hereby repealed, and that this Act take effect January 1, 1884.

Passed March 27, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 28, 1883.

WM. B. BATE,
Governor.

CHAPTER CCIII.

A BILL to repeal section 4 of an Act passed December 19, 1870, chapter 18, entitled An Act to change the line between the counties of Coffee, Franklin, Cannon and Coffee, Giles and Lawrence, Wilson and Rutherford, Roane and Loudon.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section 4 of an Act of the General Assembly, passed December 19, 1870, Chapter XVIII, be and the same is hereby repealed.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring the same.

Passed March 28, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 29, 1883.

WM. B. BATE,
Governor.

CHAPTER CCIV.

AN ACT to repeal an Act entitled An Act to change the time of holding the Circuit and Chancery Courts in the county of Van Buren, passed March 25, 1881, and approved March 29, 1881, and to fix and regulate the time of holding the courts in said county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act passed March 25th, 1881, and approved March 29th, 1881, entitled "An Act to change the time of holding the Circuit and Chancery Courts in the county of Van Buren, be and the same is hereby repealed.

SEC. 2. *Be it further enacted*, That the Circuit and Chancery Courts for the county of Van Buren shall be held on the first Tuesday after the third Monday in April, August and December.

SEC. 3. *Be it further enacted*, That this Act take effect from and after the fourth Monday in April next, the public welfare requiring it.

Passed March 28, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 29, 1883.

WM. B. BATE,

Governor.

CHAPTER CCV.

AN ACT to repeal the Acts incorporating the town of Manchester, in Coffee county, to-wit: An Act to incorporate the citizens in the town of Manchester, in the county of Coffee, passed by the General Assembly of the State of Tennessee, January 26, 1838, and sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, of an Act entitled An Act to amend the charter of the city of Knoxville, and to incorporate the town of Manchester, in Coffee county; to amend the charter of the city of Memphis; and to amend the charter of the town of McMinnville; and to amend the second section of an Act passed February 28, 1856, chapter 133, entitled "An Act to provide for the election of a justice of the peace in the town of Rome, passed February 6, 1858, by the General Assembly of the State of Tennessee.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act to incorporate the citizens in the town of Manchester, in the county of Coffee, passed January 26, 1838, by the General Assembly of the State of Tennessee, and sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18 of an Act entitled "An Act to amend the charter of the city of Knoxville, and to incorporate the town of Manchester, in Coffee county, to amend the charter of the city of Memphis, to amend the charter of the town of McMinnville, and to amend the 2nd section of an Act passed February 28, 1856, Chapter 133, entitled "An Act to provide for the election of a justice of the peace in the town of Rome, passed February 6, 1856, and 1858, by the General Assembly of the State of Tennessee, be and the same are hereby repealed, and the charter of the town of Manchester is hereby annulled.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER.

Speaker of the Senate.

Approved March 28, 1883.

WM. B. BATE,

Governor.

CHAPTER CCVI.

AN ACT to empower the City of Nashville to issue bonds for the purpose of purchasing a lot or lots in some central portion of the city of Nashville for a park.

WHEREAS, The City of Nashville is very greatly in need of a park in some central portion of said city; and

WHEREAS, It may desire, at some future day, to purchase a lot or lots for that purpose; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the City of Nashville is empowered and authorized, through its corporate authorities, to issue bonds not exceeding thirty thousand (\$30,000) dollars in amount, for the purchase of some suitable lot or lots in the central portion of said city for a park.

SEC. 2. *Be it further enacted*, That the said City of Nashville, through its corporate authorities, may issue bonds not exceeding five thousand (\$5,000) dollars in amount, for the purpose of improving or decorating said park.

SEC. 3. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 29, 1883.

WM. B. BATE,

Governor.

CHAPTER CCVII.

AN ACT to authorize the trustees of the Old Academy property, real and personal at Bell's Depot, in the county of Crockett, to sell the same, and for the disposition of the sale of said property.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the trustees holding legal title to the Old Academy property, real and personal, at Bell's Depot in the county of Crockett, be and they are hereby authorized to sell the same and by deed convey the same, which shall vest in the purchaser a good title to said property. The trustees, selling said property, shall from the proceeds pay any debts or encumbrances against said property, and invest the remainder in other property to be held as by their charter authorized, or they may pay the same to the public school commissioners of the district in which said property is located, to be used for public school purposes.

SEC. 2. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 29, 1883.

WM. B. BATE,

Governor.

CHAPTER CCVIII.

AN ACT to authorize the county of Blount to build turnpikes and charge toll thereon.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county of Blount is hereby authorized and empowered to build turnpikes or macadamized roads in said county, with and by the labor of convicts (or work-house hands).

SEC. 2. *Be it further enacted*, That said roads shall be graded to the width of not less than fourteen nor more than twenty-two feet, and covered with rock or gravel not less than eight nor more than twenty feet in width, and of such depth or thickness as will form a good, solid road. Roadbed.

SEC. 3. *Be it further enacted*, That wherever said roads pass over high, gravelly ground, that can be kept in good order without being macadamized, the county shall not be required to rock such portions of road; *Provided*, they are kept in good condition.

SEC. 4. *Be it further enacted*, That the County Court of said county shall have the same power to build bridges on said road as it now has to build bridges on the public roads of the county; but the County Court shall have no power to appropriate money for building such roads, except so much as is actually necessary to utilize and facilitate the labor of the convicts. Bridges.

SEC. 5. *Be it further enacted*, That sections 1277 and 1282, inclusive, of the Code of Tennessee, so far as applicable to this Act, shall apply to and be in force as to the roads contemplated in this Act.

SEC. 6. *Be it further enacted*, That whenever the county shall have completed three miles of road in substantial compliance with this Act, the County Court may toll erect a gate and collect toll as at other gates.

SEC. 7. *Be it further enacted*, That the said County Court shall regulate the rate of toll, provided they shall have no power to establish a higher rate of toll than that fixed by law for toll gates now existing in other counties in East Tennessee. Rate of toll.

SEC. 8. *Be it further enacted*, That each additional five miles of road the county may complete, in accordance with this Act, the said Court may erect a gate and charge toll as provided for in section 7 of this Act. Gates.

SEC. 9. *Be it further enacted*, That citizens of the county contributing money, labor or hauling to the amount of five dollars to aid in building such road shall be entitled to a free pass over such road for one year, and for one additional year for every such additional five dollars contributed to building such road. Passes work.

SEC. 10. *Be it further enacted*, That the County Court of said county of Blount shall have full power to employ agents, and establish and enforce such rules and regulations, as may be necessary for carrying out the object of this Act: *Provided*, that the toll gates on said roads Rules, etc.

shall not be nearer the corporate limits of the town of Maryville than three-fourths of a mile.

SEC. 11. *Be it further enacted*, That this Act take effect from and after its passage the public welfare requiring it.

Passed March 28, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 29, 1883.

WM. B. BATE,

Governor.

CHAPTER CCIX.

A BILL for the relief of Robert Gibson, of Coffee county.

WHERTAS, It appears that Robert Gibson was Constable of the Third Civil District of Coffee county, in the year 1882; and

WHEREAS, Said Gibson was appointed, by the Trustee of said county, to distrain and collect the delinquent taxes of said Third Civil District for the years 1881 and 1882; and

WHEREAS, On the 15th day of April, 1882, said Gibson's house was destroyed by fire, with all his household and kitchen furniture, together with one hundred and eighteen dollars tax money, thirty-nine dollars and thirty-three cents belonging to the State of Tennessee, and — dollars belonging to the county of Coffee; and

WHEREAS, The County Court of said county, by unanimous vote, has released said Gibson from all liabilities on the part of the county; and

WHEREAS, Said Gibson and his sureties, in obedience to the laws of the State, have paid to the Trustee of said county, the sum of thirty-nine dollars and thirty-three cents, which amount has gone into the State Treasury; therefore

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Comptroller of the State of Tennessee, be and he is hereby authorized and directed to issue his warrant in favor of said Robert Gibson, for the sum of thirty-nine dollars and thirty-three cents, it being the amount destroyed by fire in the hands of said Gibson, belonging to the State of Tennessee.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 29, 1883.

WM. B. BATE,
Governor.

CHAPTER CCX.

AN ACT to repeal the charter of the town of Spring Hill in Maury county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Chapter 307, passed December 20, 1837, incorporating the town of Spring Hill in Maury county, and all other Acts or parts of Acts amendatory thereof, be and the same are hereby repealed, and the corporation of said town of Spring Hill is abolished, and all officer created and held under and by virtue of said incorporation are abolished: *Provided*, this Act shall not be so construed as to impair the obligation of any existing liability which said corporation of Spring Hill has heretofore created.

SEC. 2. *Be it further enacted.* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 30, 1883.

WM. B. BATE,
Governor.

CHAPTER CCXI.

AN ACT to repeal an Act incorporating the town of Berlin in the county of Marshall.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the Act incorporating the town of Berlin, in the county of Marshall, and amendments thereto, be and the same are hereby repealed, and the corporation of the said town of Berlin be abolished.

SEC. 2. *Be it further enacted,* That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 29, 1883.

WM. B. BATE,
Governor.

CHAPTER CCXII.

AN ACT to repeal an Act incorporating the town of Cornersville and emendments thereto, and to abolish the corporation of said town.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That sections 16 to 29 inclusive, and all amendments thereto, of an Act incorporating the town of Cornersville, passed December 31, 1849, "An Act to incorporate the town of Elizabethton, in the county of Carter, and the town of Cornersville, in the county of Giles, and for other purposes," be and the same are hereby repealed and the corporation of the town of Cornersville be abolished.

SEC. 2. *Be it further enacted*, That all laws and parts of laws in conflict with this Act, be and the same are hereby repealed.

SEC. 2. *Be it further enacted*, That this Act take effect on the first day of January, 1884.

Passed March 29, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 29, 1883.

WM. B. BATE,

Governor.

CHAPTER CCXIII.

AN ACT to amend the Act of 1875, Chapter 142, entitled "An Act to provide for the organization of corporations," approved March 23, 1875.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That no charter of any turnpike company, whether for graded, macadamized or gravel road, shall authorize the use of public or private prop-

erty or rights of way, without the approval of the County Court of the county in which such property or right of way may lie.

SEC. 2. *Be it further enacted*, That the Act of 1875, Chapter 142, section 7, so far as it requires turnpikes within ten miles of a town or city of five thousand inhabitants, to be metalled to a greater width and thickness than other roads more distant from such town, shall not apply to any county in which there exists no practicable supply of stone or gravel, but in any such county such turnpike may be constructed with stone or gravel ten feet in width and six inches deep.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 29, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 30, 1883.

WM. B. BATE,
Governor.

CHAPTER CCXIV.

AN ACT to repeal the charter of the town of Mt. Pleasant, in Maury County.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Chapter 82 of an Act passed October 24, 1824, incorporating the town of Mt. Pleasant, in Maury county, and Section 9, Chapter 124, passed February 24, 1854, amendatory thereof, and Sections 9 and 10, Chapter 47, passed February 3, 1858, amendatory thereof, be and the same are hereby repealed, and the charter of the town of Mt. Pleasant, in Maury county, abolished, and all offices created and held by virtue of said Acts are abolished: *Provided*, that this Act shall not be so construed as to impair the obligation of any

existing contract which said corporation of Mt. Pleasant has heretofore created.

SEC. 2. *Be it further enacted*, That this Act shall take effect from and after the first day of January, 1884, the public welfare requiring it.

Passed March 29, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 29, 1883.

WM. B. BATE,

Governor.

CHAPTER CCXV.

AN ACT to extend the time in which to complete the Tennessee Central Railroad.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the time in which to complete the Tennessee Central Railroad be extended for four years, and for such purpose all the powers and rights under the charter of the Tennessee Central Railroad Company, heretofore granted, are hereby revived and continued for such time: *Provided*, however, that the said extension is hereby granted on expressed condition that said railroad company waive and relinquish all exemptions in its charter, and all rights, franchises and privileges that are not conferred on railroad corporations by the general laws of the State.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 29, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 29, 1883.

WM. B. BATE,

Governor.

CHAPTER CCXVI.

AN ACT to amend an Act to provide for the organization of corporations so as to provide for the organization of companies to furnish abstracts of real estate titles.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section 5 of Chapter 142 of the Acts of 1875, page 237, be and the same is hereby amended so as to authorize the organization of companies to furnish abstracts of real estate titles.

SEC. 2. *Be it further enacted*, That the form of the charter for companies to furnish abstracts of real estate titles shall be as follows: Be it known that (here insert the names of five or more persons above the age of twenty-one years) are hereby constituted a body politic and corporate, by the name and style of (here insert the name of the corporation), for the purpose of making and furnishing abstracts of title to real estate. The general powers of said corporation are (here insert said powers), as contained in section 5 of Chapter 142 Acts of 1875.

SEC. 3. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 29, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 29, 1883.

WM. B. BATE,

Governor.

CHAPTER CCXVII.

AN ACT to change the line between Blount and Loudon Counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county line between Blount and Loudon counties be and the same is hereby

so changed as to include within the county of Blount the lands of Samuel Montgomery and John Sbedden.

SEC. 2. *Be it further enacted*, That this bill take effect from and after its passage, the public welfare requiring it.

Passed March 29, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 29, 1883.

WM. B. BATE,
Governor.

CHAPTER CCXVIII.

A BILL to be entitled An Act to repeal sections 53, 54, 55 and 56 of an Act entitled an Act to amend the charter of the city of Nashville, and for other purposes, passed March 16, 1868.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That sections 53, 54, 55 and 56 of an Act entitled an Act to amend the charter of the city of Nashville, and for other purposes, passed March 16, 1868, the same being so much of the said Act as incorporated the town of Gadsden, be and the same is hereby repealed: *Provided*, that nothing in this act contained shall be so construed as to exempt the property and polls within said corporations from the payment of any debts against said incorporation.

Passed March 29, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 28, 1883.

WM. B. BATE,
Governor.

CHAPTER CCXIX.

AN ACT to repeal sections 18, 19 and 20 of an Act entitled "An Act to incorporate the town of Chestnut Mound; the town of Salisbury; to amend the charter of the town of Livingston; to incorporate Ashland City, and for other purposes," passed December 3, 1859, and abolishing the charter of Ashland City.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That sections 18, 19 and 20 of an Act entitled "An Act to incorporate the town of Chestnut Mound; the town of Salisbury; to amend the charter of the town of Livingston; to incorporate Ashland City, and for other purposes," passed December 3, 1859, be and the same are hereby repealed, in so far as pertains to the charter of Ashland City and said charter is hereby abolished.

Passed March 29, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 29, 1883.

WM. B. BATE,

Governor.

CHAPTER CCXX.

AN ACT to protect contractors, sub-contractors, mechanics, laborers and engineers who perform work or furnish materials for the construction or repair of railroads.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That where any railroad company contracts with any person or persons, for the grading of its road-way, the construction or repair of its culverts and bridges, the furnishing of cross-ties, the laying of its track, the erection of its depots, platforms, wood or water stations, section houses, machine shops or other buildings,

Railroads
liable.

or for the delivery of material for any of these purposes, or for engineering or superintendence there shall be a lien upon such railroad in favor of the person or persons with whom the railroad company contracts for the performance of the work, or the delivery of the materials to the amount of the debt contracted therefor, which lien shall continue in force for six months after the performance of the work or the delivery of the material, and until the termination of any suit commenced within the time for its enforcement.

SEC. 2. *Be it further enacted*, That the lien created under section 1 of this Act may be enforced by a suit against the railroad company in the Circuit Court of the county or district where the work or some part thereof was done, or the material or some part thereof was delivered. The plaintiff shall set out in his declaration, with reasonable certainty, the work done or the materials furnished, the amount of indebtedness claimed therefor, and the nature and the substance of the contract, and such suit shall be docketed and conducted as other suits in said court. Liens enforced

SEC. 3. *Be it further enacted*, That when any principal contractor (by which is meant one who contracts directly with the railroad companies), shall refuse to pay any sub-contractor, mechanic, laborer or other person employed by him for the performance of any of said work or the delivery of materials for the purposes aforesaid, such sub-contractor, mechanic, laborer or other person so employed by the principal contractor, may give notice in writing to the railroad company, setting out the work done or material furnished, and the amount claimed therefor and thereupon, the amount that may be due or owing from the railroad company to the principal contractor (not exceeding the sum claimed), shall be bound and liable in the hands of the railroad company for the payment of Notice to railroad company. the amount so claimed, and shall constitute a first lien in favor of the claimant, superior to all other liens upon the company's railroad, and shall continue in force for a period of ninety days from the date of service of such notice, and until the termination of any suit commenced within that time to enforce it, and if after such notice the principal contractor shall bring suit against the railroad company, the latter may relieve itself, by paying into court, the amount so claimed, and the person giving such notice shall be summoned to contest the matter with First lien. the principal contractor, and such judgment be rendered thereon as the right may appear. The claim provided for in this section may be enforced against the railroad Claims enforced.

company as garnishee, and the principal contractor as debtor in the Circuit Court, or before any justice of the peace of the county, having jurisdiction of the amount claimed.

Notice to principal contractor.

Liability of principal contractor.

Payment into court.

SEC. 4. *Be it further enacted*, That if any sub-contractor shall refuse to pay any mechanic, laborer or other person employed by him for the performance of any of said work, or the delivery of material for the purpose aforesaid, such mechanic, laborer or other person so employed by the sub-contractor may give notice in writing to the principal contractor, setting out the work done, or the material furnished, and the amount claimed therefor, and thereupon the amount that may be due or owing from the principal contractor to the sub-contractor (not exceeding the amount of the claim) shall be bound and liable in the hands of the principal contractor, for the amount so claimed, for a period of ninety days from the date of the service of notice upon the principal contractor, or his agent or attorney, and until the termination of any suit commenced within that time for the collection of such claim, and such notice shall operate as a first lien in favor of the claimant upon the amount that may be due and owing from the principal contractor to the sub-contractor, and may be enforced against the principal contractor as garnishee and the sub-contractor as debtor, in the Circuit Court, or before any Justice of the Peace of the county, having jurisdiction of the amount. The principal contractor may, upon receiving such notice, relieve himself, if he shall be sued, by paying the sum claimed into court, which payment into court shall discharge the principal contractor from liability to the sub-contractor for the amount so paid into Court, and thereupon the sub-contractor shall be summoned to answer the demand of the claimant, and such judgment shall be rendered thereon as the right may appear.

SEC. 5. *Be it further enacted*, That this Act take effect and be enforced from and after its passage, the public welfare requiring it.

Passed March 29, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 29, 1883.

WM. B. BATE,

Governor.

CHAPTER CCXXI.

AN ACT to change the county line between the counties of Benton and Decatur counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the county line between Benton and Decatur counties shall be and the same is hereby so changed that the line of Benton county shall run from its northeast corner south, up Tennessee River about one mile, to a slough; thence west with the Bark Road, on a dividing ridge, to H. C. Walker's; thence north with the west boundary line of H. C. Walker's farm, across with the west boundary line of Alfred Tipitt's farm to the Benton line near Richard Odle's.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 29, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 29, 1883.

WM. B. BATE,
Governor.

CHAPTER CCXXII.

A BILL to be entitled an Act to amend the fourth section of an Act entitled an Act to amend an Act entitled An Act to establish Taxing Districts in this State, and to provide the means of local government for the same, passed March 12, 1879, approved March 13, 1879, Chapter 84.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the said fourth section of the Act mentioned in the caption hereof, be and the same is hereby amended to read as follows: That there is hereby

Tax.

levied a wharfage tax, upon all steamboats and other water crafts landing at such territory, to grade and pave such wharf and keep the same in proper and safe condition for use, as follows, viz: All steamboats, barges and steamboat hulls used as barges and all wharf boats shall pay two and one-half cents per ton, on their under deck capacity, which shall entitle them to all the privileges of the wharf and landing, to receive and discharge freight and passengers for the space of six days: *Provided*, that all steamboats, barges and steamboat hulls used as barges, that remain at the landing for the space of six hours or less shall pay the following rates of wharfage, viz: For 100 tons and under, \$2.50; from 100 to 200 tons, \$3.00; from 200 to 300 tons \$3.50; from 300 to 400 tons, \$4.00; from 400 to 500 tons, \$5.00; from 500 to 700 tons, \$6.00; from 700 to 800 tons, \$7.00; from 800 to 900 tons, \$8.00; from 900 to 1,000 tons, \$9.00; from 1,000 tons and upwards, \$10.00; and one-half the above rates for each additional six hours or less which they may remain after the first term of six hours. All flat-boats shall pay three dollars for landing, and six dollars for each week or one dollar for each day they remain at the landing, Sundays excepted. The rates of wharfage hereby imposed, shall be collected by a wharf master, who shall be elected for two years by the commissioners of the Taxing District. The compensation of said wharf master shall be two thousand dollars *per annum*, payable in monthly installments. The wharf master shall pay any assistance he may employ out of his said compensation. The compensation of said wharf master shall be paid out of said wharfage fund. The wharf master shall pay over to the County Trustee every week all wharfage collected by him, and shall report the amount thereof to said commissioners. He shall give a bond in the penalty of ten thousand dollars, payable to the State of Tennessee, and conditioned for the faithful performance of his duties. The said wharfage fund shall be kept by said Trustee separate and distinct from all other moneys, and shall be expended by said commissioners solely in the improvement and repair of the wharf, and shall be paid out by said Trustee for that purpose on the joint warrant of any two of said commissioners.

Wharf master.**Bond.****Fund.**

SEC. 2. *Be it further enacted by the General Assembly of the State of Tennessee, That this Act take effect from*

and after its passage, the public welfare requiring it.
Passed March 29, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 29, 1883.

WM. B. BATE,

Governor.

CHAPTER CCXXIII.

A BILL to be entitled "An Act forbidding the brands on saw-logs to be obliterated.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That it shall be unlawful for any person or persons to cut out, deface, destroy, or in any manner obliterate the brands of any owner or owners of saw-logs in any of the streams of this State, with the view of converting such log or logs to his or their use, and upon conviction for the same, shall be guilty of a misdemeanor, finable not more than fifty dollars, and may be imprisoned at the discretion of the court.

Passed March 29, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 29, 1883.

WM. B. BATE,

Governor.

CHAPTER CCXXIV.

AN ACT to amend an Act entitled "An Act to amend an Act entitled An Act to change the time of holding the Chancery Courts in the Sixth Chancery Division, Ch. 36, Acts 1879, so as to change the time of holding the Chancery Courts at Gallatin, Hartsville, Erin, Springfield and Clarksville, in the Sixth Chancery Division," approved March 3, 1883, and to amend the caption of said Act.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That section 1 of said Act, approved March 3, 1883, to change the time of holding certain courts in the Sixth Chancery Division is hereby so amended as to read: At Ashland City, for Cheatham county, on the first Tuesdays after the second Mondays in March and September.

SEC. 2. *Be it further enacted*, That the caption of said Act, approved March 3, 1883, to change the times of holding the Chancery Courts in the Sixth Chancery Division, is hereby so amended as to insert in said caption, between the words "Springfield" and "and" therein, the words Ashland City.

SEC. 3. *Be it further enacted*, That all laws and parts of laws in conflict with this Act be and the same are hereby repealed, and that this Act take effect from and after its passage; the public welfare requiring it.

Passed March 29, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 29, 1883.

WM. B. BATE,

Governor.

CHAPTER CCXXV.

AN ACT for the benefit of Daniel Foster.

WHEREAS, A. S. Marks, Governor of Tennessee, offered a reward of two hundred and fifty dollars for the apprehension and conviction of one Lucius Weaver, of color, charged with committing a rape upon a woman; and

WHEREAS, Daniel Foster, of Knox county, Tennessee, captured the said Lucius Weaver, and turned him over to the proper authorities of the State; and

WHEREAS, After identification by the woman and by others, a mob attacked the Sheriff and his guards, overpowered them, and took the said Lucius Weaver and hung him.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the sum of two hundred and fifty dollars be paid to the said Daniel Foster for the arrest and turning over of the said Lucius Weaver to the proper authorities of the State, and for that purpose the Comptroller is hereby directed to issue his warrant to the said Daniel Foster for that amount.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 29, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 29, 1883.

WM. B. BATE,

Governor.

CHAPTER CCXXVI.

AN ACT to authorize the surrender and issuance of certificate for bond No. 9742, held and owned by the Widows' and Orphans' Fund of Lodge No. 23, Independent Order of Odd Fellows, of Clarksville, Tennessee.

SECTION 1. *Be it enacted by the General Assembly of Tennessee*, That upon the application of the trustee or trustees of the Widow and Orphans' Fund of the Independent Order of Odd Fellows, Lodge No. 23, of Clarksville, Tennessee, the Secretary of State is authorized and instructed to receive the surrender of and issue certificate for State bond No. 9742, Letter B, issued under the Acts of 1851-2, registered February 23, 1874, as is provided for surrender of State bonds and issuance of certificates by the Act passed April 1, 1881, entitled "An Act to provide for the protection of permanent endowment funds of literary and charitable institutions and funds held for educational purposes."

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 29, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 30, 1883.

WM. B. BATE,
Governor.

CHAPTER CCXXVII.

AN ACT to exempt veterans of the Mexican War, being residents of this State, from the tax on peddling.

SECTION 1. *Be it enacted by the General Assembly of State of Tennessee*, That veterans of the Mexican War, being residents of this State, shall hereafter be exempt from the tax levied upon peddling in this State, and they

Veterans exempt.

shall be permitted to run one peddling wagon free of tax in any of the counties of this State.

SEC. 2. *Be it further enacted*, That persons desiring to avail themselves of the provisions of this Act shall furnish satisfactory evidence to the Clerk of the County Court of any county in which he may desire to peddle, that he was a soldier in the Mexican War, and honorably discharged. Upon such proof being made, the Clerk shall issue to said applicant a certificate, under his official seal and free of charge, that the said applicant is a veteran of the Mexican War, and this certificate shall license the holder to peddle in the county free from tax. Proof of identity.

SEC. 3. *Be it further enacted*, That the holder of such certificate shall exercise in person, the privilege herein granted, and should such holder transfer or attempt to transfer, directly or indirectly, such privilege to any other person or persons whatsoever, he shall forfeit thereby all rights under this Act, and shall be guilty of a misdemeanor punishable at the discretion of the Court. Privilege not transferrable.

SEC. 4. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 29, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 30, 1883.

WM. B. BATE,

Governor.

CHAPTER CCXXVIII.

AN ACT to amend an Act entitled "An Act to amend the Acts incorporating the town of Gallatin, in Sumner county," passed February 29, 1856, and to amend an Act entitled "An Act to amend the charter of Gallatin," passed March 27, 1869, and to change the term of office of the Mayor and Aldermen, and to extend the corporation limits of said town.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That section 3 of an Act passed February 29, 1856, entitled "An Act to amend the Acts incorporating the town of Gallatin, in Sumner county," is hereby amended so as to read: The Mayor and Aldermen shall be elected by the qualified voters of said town, and shall hold their offices for two years, and until their successors shall be elected and qualified, and section 5 of said act of February 29, 1856, is hereby so amended as to read: That an election for Mayor and Aldermen shall be held in the court-house in the town of Gallatin, or at such place or places in its limits as may be fixed by ordinance of the corporation, on the first Saturday in December every two years from and after the first Saturday in December, 1883, or upon such other days biennially as the Mayor and Aldermen may determine by ordinance; the result of said election shall be certified by the officer holding the same, under the provisions of said 5th section of said Act, passed February 29, 1856, to the existing Mayor, who shall lay it before the Board of Aldermen at the next meeting thereafter, and on the first Saturday in January next after said election, unless altered by an ordinance of the corporation, the Mayor and Aldermen elect shall enter upon the duties of their respective offices.

SEC. 2. *Be it further enacted,* That the boundaries of the town of Gallatin, in Sumner county, are hereby changed and extended so as to take in and include within the corporate limits of said town the new addition to the cemetery of said town, purchased by the Mayor and Aldermen from Thomas Miller, and conveyed by deed of said Miller, recorded in the Register's office, Sumner county, which is referred to for particular description; the new territory being embraced within the line of the fence along the southern limits of said new cemetery; and that section 2 of the Act passed March 27, 1869, entitled, An Act to amend the charter of Gallatin, is

hereby amended so as to conform to this addition to the corporate limits of said town.

SEC. 3. *Be it further enacted*, That all laws and parts of laws in conflict with this Act, be and the same are hereby repealed, and that this act take effect from and after its passage, the public welfare requiring it.

Passed, March 29, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 29, 1883.

WM. B. BATE,

Governor.

CHAPTER CCXXIX.

AN ACT to change the time of holding the Chancery Court at Dyersburg, Dyer county, Tennessee, in the Eleventh Chancery Division.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That hereafter the Chancery Court for Dyer county, in the Eleventh Chancery Division, shall be held at Dyersburg on the second Mondays of February and August of each year.

SEC. 2. *Be it further enacted*, That so much of section 107 b of the Code of Tennessee, fixing the time of holding said court at Dyersburg, be and the same is hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 29, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 29, 1883.

WM. B. BATE,

Governor.

CHAPTER CCXXX.

AN ACT to punish as felons all parties who may engage in the keeping or conducting of halls or houses for conduct of games of Keno, Faro, Three Card Monte, Mustang, etc.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That from and after the passage of this Act, any person who shall keep a room, hall or house for the purpose of encouraging or promoting, aiding or assisting the playing of any game of Keno, Faro, Three Card Monte, Mustang, Red and Black, High Ball, Roulette, Twenty-One and Hazard, or who shall keep or exhibit such gaming table, or operate the same either as owner or employee, and upon conviction, shall be deemed guilty of a felony, and shall be fined not less than two hundred dollars nor more than five hundred dollars, and imprisonment in the State penitentiary not less than one nor more than three years.

SEC. 2. *Be it further enacted*, That the change of name of any of the games enumerated herein shall not prevent the conviction of any person guilty of violating any of the provisions of this Act.

SEC. 3. *Be it further enacted*, That all laws and parts of laws in conflict with this Act, be and the same are hereby repealed.

Passed March 29, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 29, 1883.

WM. B. BATE,

Governor.

CHAPTER CCXXXI.

A BILL entitled An Act directory to the Inspectors of the State Prison.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Inspectors of the State Prison are hereby authorized and empowered to have ^{cell building and laundry.} built or erected upon the the Penitentiary grounds, within the enclosure of said prison, one cell building for the accomodation of the female convicts, and also one laundry building, and also to have certain repairs or improvements made for the ventilation of the cells occupied by the male convicts. Said buildings to be built of stone and brick, with metal roofing and fire-proof throughout, and the cost of all of said improvements not to exceed the sum of thirty-five hundred dollars.

SEC. 2. *Be it further enacted*, That said Inspectors. ^{Sealed bids.} before settling the contract or contracts for said improvements, will advertise for ten days in some newspaper published in the city of Nashville for sealed bids for the erection of said buildings or for the making of said improvements, and said inspectors will award the contract to the person or persons making the lowest and best bid for the said improvements.

SEC. 3. *Be it further enacted*, That the sum of thirty- ^{Appropriation} five hundred dollars is hereby appropriated out of the Treasury of the State for the making of said improvements, and whenever the Inspectors of said Prison have certified to the Comptroller of the State that said improvements have been made and the cost of the same, the Comptroller will issue his warrant upon the Treasurer of the State for payment of said improvements, in a sum not to exceed the sum of thirty-five hundred dollars,

SEC. 4. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 29, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 29, 1883.

WM. B. BATE,
Governor.

CHAPTER CCXXXII.

A BILL to be entitled An Act to amend an Act entitled An Act to provide for the organization of corporations, passed March 19, 1875, (Acts of 1875, Chapter 142.)

SECTION 1. *Be it enacted by the General Assembly of State of Tennessee*, That Chapter 142 of the Acts of 1875, entitled, An Act to provide for the organization of corporations, approved March 23, 1875, be and the same is hereby amended so as to embrace electric light companies, electric light and power companies, telephone companies, telephone and power companies.

SEC. 2. *Be it further enacted*, That the charter for any of the above companies shall be as follows:

Be it known that (here insert the names of five or more persons above the age of twenty-one years) are hereby constituted a body politic and corporate, by the name and style (here insert the name of the corporation), for the purpose of manufacturing electric light, or for the purpose of manufacturing electric light motive power, electrotyping, etc., or for the purpose of manufacturing electricity for telephoning purposes, etc., (state fully the objects of the company, whether one or more of the above purposes). The general powers of said corporation are (here insert the powers as contained in section (5) five of the Act of 1875, Chapter 142.

SEC. 3. *Be it further enacted*, That all companies of the character designated in this Act, or similar ones now incorporated in substantial compliance with this Act or the Act of 1875 aforesaid, shall be and are hereby declared to be legal corporations; and it shall be lawful for telephone and electric light companies now or hereafter incorporated to consolidate into one corporation, or partially consolidate or co-operate in such manner as the respective corporations may determine, with the concurrence of the stockholders of each, in full meeting assembled: *But it is provided*, that all rights and privileges conferred by this Act shall be subject to revocation and repeal.

SEC. 4. *Be it further enacted*, That, the public welfare requiring it, this Act take effect from and after its passage.

Passed March 29, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD.
Speaker of the House of Representatives.

Approved March 29, 1883.

WM. B. BATE,
Governor.

CHAPTER CCXXXIII.

AN ACT to be entitled an Act to amend an Act passed March 26, 1877, entitled "An Act to regulate the salary of county jail physicians, and to define and prescribe [the duties of county jail physicians."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act passed March 24, 1877, entitled "An Act to regulate medical attendance upon all prisoners confined in jail, be so amended as to read: That hereafter it shall be the duty of county jail physicians to render all such medical aid and surgical attention, make such sanitary inspection and prescribe such rules and regulations in regard to heating and ventilating jails and supplying them with such sewerage as may be necessary and sufficient for the comfort and well-being of persons confined therein. Act amended.

SEC. 2. *Be it further enacted*, That the county jail physician shall be *ex officio* the county health officer, and as such shall be the executive of the County Court in all matters sanitary in their nature, and that he shall, at each term of the Quarterly Court, make a report in writing, in which he shall suggest such reform as in his judgment may be necessary for the physical well-being of the people, and whenever epidemic diseases are either threatened or developed in his county, it shall be his duty to at once communicate the fact to the State Board of Health, and he shall adopt and carry into effect Jail physician
male health
officer.

such rules and regulations as may be prescribed by said board, having for their object the stamping out or restricting the spread of such epidemic diseases in his county.

Compensation. SEC. 3. *Be it further enacted*, That an Act passed December 16, 1871, entitled "An Act to regulate the salary of the county jail physician," be so amended as to read: That the compensation shall, in no case, exceed \$1,500 *per annum*.

Election. SEC. 4. *Be it further enacted*, That it shall be the duty of the County Courts, where the appointment has not already been made, to appoint or elect a county jail physician at the first quarterly term after the passage of this Act, and at the following January term they shall elect jail physicians to hold office for a period of two years, when their successors in office shall, for a like period, be elected biennially.

SEC. 5. *Be it further enacted*, That this Act shall apply only to counties having a population of 50,000 and upward.

SEC. 6. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 29, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 29, 1883.

WM. B. BATE,
Governor.

CHAPTER CCXXXIV.

AN ACT to amend the charter of the city of Chattanooga, Tennessee, and all Acts heretofore passed amendatory thereof.

Aldermen. SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That there shall be elected six aldermen, one for each ward and to be a resident thereof, and one for the city at large, who may reside in any ward; all of said aldermen shall be elected at the first election to be

held under this Act by the qualified voters of the whole city of Chattanooga, and the three aldermen receiving the largest number of votes shall hold their office for the term of two years, and on the second Tuesday in October of each year thereafter, there shall be an election for three aldermen who shall be elected by the qualified voters of the whole city, who shall hold their office for two years and until their successors are elected and qualified, and the said three aldermen so to be elected shall be resident citizens of the wards which will have no representation in the board of mayor and aldermen after the expiration of the terms of office of aldermen whose places they shall be elected to fill, the purpose and object hereof being that each ward shall have at least one alderman in the said board; any alderman so elected shall be required to enter into a bond in the sum of ten thousand dollars, with at least two good securities, payable to the board of mayor and aldermen of the city of Chattanooga, conditioned for the faithful performance of all duties devolving upon him by law as such alderman. The salary of each alderman so elected shall be such as may be authorized by the board of mayor and aldermen; *Provided, however,* that said salary shall, in no case, exceed the sum of five hundred dollars. Should a vacancy occur by death or otherwise in the office of alderman, the same shall be filled by an election by the qualified voters of the whole city, upon a notice thereof given by the mayor, of ten days by publication in the newspapers of Chattanooga, and the party elected shall fill out the unexpired term of the party whose place he is elected to fill, and at any such election only those whose names appeared on the register's book at the election immediately preceding, shall be allowed to vote. Vacancy.

SEC. 2. *Be it further enacted,* That the mayor shall be elected by the qualified voters of the city, and shall hold his office for the term of two years, he shall have the power to veto any ordinance or resolution of the board of mayor and aldermen, and no resolution or ordinance thus vetoed shall become operative unless the same shall afterwards be passed by a vote of two-thirds of all the aldermen; the mayor shall have and possess all the powers granted to the recorder under the present city charter of the city of Chattanooga, he shall keep open a daily court (Sundays excepted), for the trial of parties charged with a violation of the ordinances of the city, and shall *ex officio* have all the powers granted under existing laws to justices of the peace in criminal cases, he shall devote his Mayor.

Salary.**Bond.**

entire time and attention to the business of the city, and shall receive an annual salary of \$2,500 in lieu of all fees and perquisites, and all fees and fines under the existing charter received by the recorder, shall be turned into the city treasury. He shall give a bond in the sum of \$25,000, with at least two good securities, to be approved by the aldermen of the city, conditioned that he faithfully discharge the duties of his office, and faithfully and honestly account for all moneys that may come to his hands belonging to the city; said bond shall be payable to the board of mayor and aldermen of the city of Chattanooga, and before entering upon the discharge of his duties he shall take an oath to faithfully discharge the duties of his office.

SEC. 3. *Be it further enacted,* That in case there shall arise any vacancy in the office of mayor from any cause, an election shall be ordered by the aldermen of the city, to be held within twenty days from the date of said vacancy, and all persons qualified to vote at the municipal election next preceding said vacancy, shall be qualified to vote to fill said vacancy. The aldermen shall appoint a mayor *pro tempore* in case of vacancy.

Police commissioners.**Bond.****Politics.**

SEC. 4. *Be it further enacted,* That it shall not be lawful for the mayor and aldermen of the city of Chattanooga to elect or appoint any of the police of the city, but the same shall be appointed by the majority of three commissioners, which commissioners shall be appointed by the Governor; their terms of office shall be for three years, but of the commissioners to be appointed the Governor shall appoint one to serve one year and his successor shall serve three years, and one shall serve two years and his successor shall serve three years, and the third shall serve three years from his appointment, and, after the first appointment, each commissioner shall serve for three years from his time of appointment; each of said commissioners shall have been citizens of Chattanooga for at least five years previous to his appointment, and before entering on the discharge of his duties he shall execute bond with two good securities to be approved by the mayor and payable to the State for the use of the mayor and aldermen of the city of Chattanooga, conditioned for the faithful discharge of their duties, in the sum of \$10,000. The Governor shall not appoint more than two of said commissioners from any one political party, whose salaries shall be fixed by the mayor and aldermen of the city of Chattanooga; the said commissioners shall be and are hereby fully em-

powered to exercise power and control over the police of the city ; they shall appoint as policemen none except men of known integrity and character, fully competent to discharge the duties of policeman mentally and physically, and no person shall be a policeman who has not reached his twenty-fifth year. The police commission, hereby established, is authorized to fix the salary of the police, and establish rules and regulations for the same, and in all respects to control and manage the police department of the city ; the commissioners shall pay the police for their services, and for that purpose may issue their warrant on the treasurer of the city for the same.

Policemen.

SEC. 5. *Be it further enacted*, That the mayor and aldermen are divested entirely of all control over the police of said city of Chattanooga, and shall have no power over the police commission hereby created, and it shall not be lawful for them to establish any police office or make any police regulations of any kind whatsoever, but all such powers are vested in said commission herein created. The commission shall have full power to discharge any policeman. When any vacancy occurs in the police commission, the Governor shall at once fill the vacancy for the unexpired term.

SEC. 6. *Be it further enacted*, That the office of marshal, as now provided by the charter, is hereby abolished and the commissioners shall appoint a chief of police in his stead.

Chief of police.

SEC. 7. *Be it further enacted*, That the police commissioners shall be appointed by the Governor, as herein provided, ten days after the passage of this Act, or as soon thereafter as may be practicable.

SEC. 8. *Be it further enacted*, That not more than one-half of the board of education of said city shall be members of the same political party, and said board of education shall be non sectarian.

Board of Education.

SEC. 9. *Be it further enacted*, That a registrar of voters shall be appointed by the board of mayor and aldermen, whose duty it shall be to register all legal voters applying for registration, who shall open and keep suitably prepared registration books, in which shall be kept the date of application for registration, the age and color of the applicant, and the ward in which he resides, and before such voter shall be admitted to registration he shall produce to the registrar a receipt showing the payment of his municipal poll tax for the current year ; but this provision shall not be construed so as to require the pro-

Registrar of voters.

Registration.

duction of poll tax receipts upon the part of any person who, by reason of his age, is not required to pay any poll tax under existing laws. The registrar shall, thirty days before any municipal election, open an office in some public and convenient place, giving notice of the time when and place where the books of registration will be opened, by advertisement for at least ten days in all the daily newspapers published in the city of Chattanooga, and he shall keep his office open daily, Sundays excepted, from 9 a. m. to 4 p. m., and shall also keep his office open from 7 to 10 p. m., at least ten nights during the period of registration, for the transaction of business, until ten days before the election, when the registration shall be completed, and no person shall be registered for ten days next preceding the day of election.

List of voters.

The registrar shall prepare and furnish for the use of the judges of election an alphabetical list of the registered voters of each ward, and no person shall be allowed to vote unless his name shall appear on such list, and such list shall, for five days next preceding the day of election, be open to public examination and inspection, and revision and correction by the registrar if in any respect found inaccurate or imperfect: *Provided further*, that nothing in this section shall be so construed as to prevent non residents who shall have owned a taxable freehold in the city for six months previous to said election from voting, but such non-residents shall be required to register as other voters; but such non-resident shall not be required to produce to the registrar any poll tax receipt. Any such non-resident person owning real estate in more wards than one may elect in which of said wards to vote, but shall not be allowed to vote in more than one ward. The compensation of the registrar herein provided for shall be fixed by the board of mayor and aldermen, and before entering upon the discharge of his duties he shall take an oath to faithfully and honestly discharge the duties of his office.

Non-resident property holders.**Refusal to permit registry.**

SEC. 10. *Be it further enacted*, That any registrar of votes wilfully refusing to register any qualified voter shall be liable to indictment by the grand jury of Hamilton county for a misdemeanor, and, upon conviction, shall be sentenced to pay a fine of not less than ten dollars, and not more than one hundred dollars, and be imprisoned in the county jail not less than ten days and not more than thirty days, or both, at the discretion of the court.

SEC. 11. *Be it further enacted*, That the first election to be held under the provisions of this Act shall be held on the second Tuesday in October, 1883, and all elections under the provisions of this Act shall be held on that day forever hereafter. Date of election.

SEC. 12. *Be it further enacted*, That the provisions and sections of this Act shall be and constitute an amendment to the present charter of the city of Chattanooga, and that all parts of said charter and Acts heretofore passed amendatory thereof, in conflict with this Act, be and the same are hereby repealed. This Act to take effect from and after its passage, the public welfare requiring it.

Passed March 29, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 29, 1883.

WM. B. BATE,
Governor.

CHAPTER CCXXXV.

AN ACT to amend an Act entitled An Act to repeal the Act establishing a Criminal Court in the counties of Williamson, Maury, Giles and Marshall, passed March 22, 1877, approved March 26, 1877.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That so much of section 5, Chapter 143, passed March 22, 1877, and approved March 26, 1877, entitled An Act to repeal the Act establishing a Criminal Court in the counties of Williamson, Maury, Giles and Marshall, as fixes the time for taking up the criminal docket for the second Monday of each term, be and the same is hereby repealed so far as the county of Maury is concerned, and the Judge holding the Circuit Court in said county shall fix such time for the taking up the criminal docket as he may think best.

SEC. 2. That all laws and parts of laws in conflict with this Act be repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 29, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 30, 1883.

WM. B. BATE,

Governor.

CHAPTER CCXXXVI.

AN ACT to enable Taxing Districts in this State to appropriate certain funds to the purchase of ground for and the building of station and work-houses.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That every taxing district of this State is hereby authorized to appropriate out of their back taxes, salary and rent accounts a sum not to exceed (\$50,000) fifty thousand dollars to the purchase of ground for and the building of station and work-houses; or if the legislative council of any taxing district in this State deems it proper, they may sell their present station-house or unused engine-house property, and with the purchase money buy other property, or they may exchange the same for other property in order to carry out the purposes of this Act.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 29, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 29, 1883.

WM. B. BATE,

Governor.

CHAPTER CCXXXVII.

AN ACT to amend Chapter 27 of the Acts of the State of Tennessee, passed by the second extraordinary session of the Forty-second General Assembly, so as to include the counties of Meigs, Rhea and Cumberland in the Third Congressional District.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That Chapter 27 of the Acts of the State of Tennessee, passed by the Second Extraordinary session of the General Assembly of the State of Tennessee be, and the same is hereby amended so that the counties of Monroe, Polk, Bradley, Hamilton, Meigs, Rhea, Cumberland, James, McMinn, Bledsoe, Sequatchie, Marion, Grundy, VanBuren, White and Warren shall compose the Third Congressional District of this State.

SEC. 2. *Be it further enacted*, That the said Chapter 27 of the aforesaid Acts, with the amendment hereby made, is hereby re-enacted and declared to be in force in every particular.

SEC. 3. *Be it further enacted*, That this Act shall take effect and be in force from and after its passage, the public welfare requiring it.

Passed March 30, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 29, 1883.

WM. B. BATE,

Governor.

CHAPTER CCXXXVIII.

AN ACT to extend the time for the completion of the unfinished rail roads in the State.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all railroad companies chartered by the State, which have not been able to complete their roads, or are not hereafter able to complete

their roads, within the time allowed by their charters, shall be and are hereby granted two years from the date of this Act in which to complete their roads, and the acts of incorporation of said roads, in so far as they conflict with this Act, are hereby amended.

SEC. 2. *Be it further enacted*, That all railroads availing themselves of the provisions of this Act shall surrender any and all exemptions from taxation claimed under original charters or amendments thereto: *Provided*, the Southwestern Railroad Company shall be exempted from the privileges of section 1 of this act.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 29, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 30, 1883.

WM. B. BATE,
Governor.

CHAPTER CCXXXIX.

AN ACT to repeal an Act entitled An Act to run and re-mark the county line between Hawkins and Sullivan counties, passed March 125, 1879.

WHEREAS, on the 25th day of March, 1879, the General Assembly of Tennessee passed an Act entitled an Act to run and re-mark the county line between Hawkins and Sullivan counties; and

WHEREAS, the commissioners appointed by said Act to run and re-mark said line did not run and re-mark the line as contemplated by said Act, but run a wholly different line from the one that has heretofore been recognized as the line between said counties; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That an Act entitled An Act to

run and re-mark the county line between Hawkins and Sullivan counties, passed March 25, 1879, be and the same is hereby repealed.

SEC. 2. *Be it further enacted*, That the acts of said commissioners and the several reports made by them in the running of the line run by said commissioners, are hereby declared null and void.

SEC. 3. *Be it further enacted*, That the boundary line between the said counties of Hawkins and Sullivan, as defined and laid down in the edition of the Laws of Tennessee by Edward Scott, dated 1821, vol. 1, page 378, and chapter 34, be and the same is hereby declared to be the recognized boundary line between the said counties of Sullivan and Hawkins.

SEC. 3. *Be it further enacted*, That this act shall take effect from and after its passage the public welfare requiring it.

Passed March 29, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 30, 1883.

WM. B. BATE,

Governor.

CHAPTER CCXL.

AN ACT to authorize all Masonic Lodges of Free and Accepted Masons who own real estate to the value of ten thousand dollars, to issue coupon bonds to an amount not exceeding thirty thousand dollars, and to secure the payment of the same by mortgage for the purpose of erecting a building on the grounds of such Lodge.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That all Masonic Lodges of Free and Accepted Masons who hold real estate to the value of ten thousand dollars, be and they are hereby authorized and empowered to issue coupon bonds to an amount not exceeding thirty thousand dollars, bearing six per

cent interest *per annum*, payable semi-annually, for the purpose of erecting a building or hall upon their lots.

SEC. 2. *Be it further enacted*, That any Masonic Lodge of Free and Accepted Masons, which shall issue coupon bonds under the provisions of this Act, shall execute a mortgage upon the real estate upon which the proposed building is to be erected, to secure and make certain the payment of the bonds and coupons to be issued by such Lodge.

SEC. 3. *Be it further enacted*, That the Worshipful Master and Wardens of the Lodge shall be authorized and empowered to issue the bonds and coupons, and execute the mortgage provided for in this Act whenever they have been instructed by a meeting of their Lodge to do so.

SEC. 4. *Be it further enacted*, That said coupon bonds shall not have more than twenty years in which to mature, and may be taken up by said Lodge at any time after five years from their issuance.

SEC. 5. *Be it further enacted*, That said coupon bonds may be issued in sums of twenty-five, fifty, one hundred, five hundred and one thousand dollars, as may be desired by the parties.

SEC. 6. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 29, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 30, 1883.

WM. B. BATE,

Governor.

CHAPTER CCXLI.

AN ACT to repeal the charter of the town of Henry Station, in Henry county, and abolish the corporation.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That the charter of the town of Henry Station, in Henry county, be and the same is hereby repealed, and the corporation of said town abolished.

SEC. 2. *Be it further enacted,* That the decree of the Chancery Court of Henry county under which the corporation of Henry station was organized, be and the same is amended in so far as it grants and organizes the charter of said town.

Be it further enacted, That this Act take effect from and after June 15, 1883.

Passed March 30, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 30, 1883.

WM. B. BATE,

Governor.

CHAPTER CCXLII.

AN ACT to provide relief for soldiers from Tennessee in the army of the late Confederate States, who lost their eyes while engaged in battle; also Federal soldiers from Tennessee in like condition who are not pensioners under the United States Government.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That a pension of \$10 per month be and is hereby granted to each soldier from the State of Tennessee in the army of the late Confederate States, who lost his eyes while engaged in battle in the war between the States; also Federal soldiers from Tennessee

in like condition who are not pensioners under the United States Government.

SEC. 2. *Be it further enacted*, That the Comptroller of the Treasury be instructed to keep a roll of all persons who shall claim the benefit of the first section of this Bill, and when he shall have the certificate of the Chairman or Judge and Clerk of the County Court of the county in which each applicant lives, that the applicant comes within the provisions of this Bill, he, the Comptroller, shall issue his warrant monthly upon the Treasurer for \$10, which warrant shall be paid by the Treasurer.

SEC. 3. *Be it further enacted*, That the pension herein provided shall commence with the first day of January, 1883, and shall end upon the death of the pensioner.

Passed March 30, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 30, 1883.

WM. B. BATE,

Governor.

CHAPTER CCXLIII.

AN ACT to pay W. J. Hagey for the apprehension of Henry Bell for horse stealing. .

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That fifty dollars be and is hereby appropriated out of the Treasury of the State to W. J. Hagey for the apprehension and arrest of Henry Bell for horse stealing, and that the Comptroller issue his warrant on the Treasury to the said W. J. Hagey

for said sum of fifty dollars, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed March 30, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 30, 1883.

WM. B. BATE,

Governor.

CHAPTER CCXLIV.

AN ACT to change the county line between the counties of Van Buren and Warren.

Be it enacted by the General Assembly of the State of Tennessee, That the line between the counties of Van Buren and Warren be changed so as to include the farm and land formerly owned by W. L. Steakley and now owned by Elijah Grissome in the county of Van Buren, and that section 1 of an Act passed on the 5th day of March, 1879, section 1, Chapter 58, be so modified and repealed so as to conform to the provisions of this Act.

Passed Third Reading March 30, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 30, 1883.

WM. B. BATE,

Governor.

CHAPTER CCXLV.

AN ACT for the relief of C. C. Satterfield of Stewart county.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That C. C. Satterfield, a citizen of Stewart county, be and he is hereby released from the payment of two hundred and fifty dollars adjudged against him by the Circuit Court for Stewart county at its August term, 1882, as surety upon forfeited recognizance of one Wm. Goode under indictment in said court for carrying a pistol.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 30, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 30, 1883.

WM. B. BATE,

Governor.

CHAPTER CCXLVI.

AN ACT to provide for the removal of county seats of counties reduced for the purpose of forming new counties.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee, two-thirds of both Houses concurring*, That hereafter county seats of counties that have been reduced by fractions taken off to form new counties, may be removed in the manner and under the provisions of law as is now provided for the removal of county seats in other counties of the State, except the counties of Cocke and Obion.

SEC. 2. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 30, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 30, 1883.

WM. B. BATE,
Governor.

CHAPTER CCXLVII.

AN ACT to refund to the Bristol Baptist College the amount of State tax paid by said College for 1880, 1881, and 1882.

WHEREAS, The Bristol Baptist College was wrongfully assessed, and the taxes paid for the years of 1880, 1881, and 1882, as said property was and is exempted from taxation; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That upon satisfactory proof shown to the Comptroller that the State taxes for said years were paid, he shall issue his warrant on the Treasurer for the amounts, payable to the Secretary and Treasurer of the Board of Trustees of said College.

SEC. 2. That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 30, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 30, 1883.

WM. B. BATE,
Governor

CHAPTER CCXLVIII.

AN ACT for the relief of Samuel Orr, former Trustee of the county of Marshall.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Comptroller of the State be and is hereby authorized and directed to draw his warrant upon the Treasurer of the State, in favor of Samuel Orr, former Trustee of Marshall county, for the sum of fifty-six dollars and twenty-four cents, which amount said Samuel Orr paid into the State treasury as delinquent taxes upon tracts of land and town lots, and costs upon sale of same in the year 1877, and for which the Comptroller did not allow him upon settlement.

SEC. 2. *Be it further enacted*, That the Treasurer be and is hereby directed to pay said warrant out of any money in the treasury not otherwise appropriated.

SEC. 3. *Be it further enacted*, That all taxes heretofore, or that may hereafter be collected upon said tracts of land and town lots, be paid into the treasury of the State.

SEC. 4. *Be it further enacted*, That all taxes collected heretofore, or that may be hereafter collected upon the tracts of land and town lots sold by said Trustee, and bid in by the Treasurer of the State, for the year 1876, and which taxes the said Trustee paid into the State treasury, be paid over to the said Samuel Orr.

SEC. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 30, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 30, 1883.

WM. B. BATE,

Governor.

CHAPTER CCXLIX.

AN ACT to amend the Acts of 1875, Chapter 142, entitled "An Act to provide for the organization of corporations."

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Acts of 1875, Chapter 142, entitled "An Act to provide for the organization of corporations," be so amended that charters may be granted in the mode and manner pointed out in said Act for the following purposes, to-wit: To purchase, hold and own overflowed lands on any water course in the State, for the purpose of reclaiming said lands by making levees, embankments, or by other means of protecting said lands from overflow. The form of the charter shall be as required in said Act of 1875.

SEC. 2. *Be it further enacted*, That any corporation created under this Act shall have full power, not only to purchase and hold such overflowed lands, but to purchase, hold and use animals, machinery, materials, etc., for building levees, or by other means protecting the overflowed lands from such overflow.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 30, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 30, 1883.

WM. B. BATE,

Governor.

CHAPTER CCL.

AN ACT entitled An Act to fix and regulate the law of descent and distribution of real and personal property when the deceased dies intestate, unmarried or without issue, and the next of kin are aliens

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That hereafter when any person dies, a resident of this State, intestate and without issue, possessed of real or personal property, and when nearest of kin are aliens to the United States, the same shall be distributed as follows: 1st. By his brothers and sisters of the whole blood, born before his or her death or afterwards, to be divided amongst them equally, and if any such brother or sister died in the intestate's lifetime bearing issue, such issue shall represent their deceased parent and be entitled to the same part of the estate of the uncle or aunt as their father or mother would have been entitled to if living. In default of brothers and sisters, or their issue, the said estate shall be inherited by the father and mother of the intestate equally; if both be dead, the equal moieties by the heirs of the father and mother in equal degree, or representing them in equal degree of relationship to the intestate; but if such heirs or those they represent do not stand in equal degree of relationship to the intestate, then the heirs nearest in blood to the intestate shall take in preference to others more remote.

SEC. 2. *Be it further enacted*, That any alien to whom property, personal or real, shall descend under the provisions of this Act, shall have the right to hold, sell, alienate and convey the same in as full and ample a manner as if he or she were a citizen of the United States.

SEC. 3. *Be it further enacted*, That all laws or parts of laws in conflict with this Act be, and the same are hereby repealed.

SEC. 4. *Be it further enacted*, That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 29, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 30, 1883.

WM. B. BATE,
Governor.

CHAPTER CCLI.

AN ACT to declare certain contracts gaming.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee,* That hereafter any sale, contract or agreement for the sale of bonds, stocks, grain, cotton or other produce, property, commodity, article or thing, for future delivery, where either of the contracting parties, buyer or seller, in dealing simply for the margin, or on the prospective rise or fall in the price of the article or thing sold, and where either of the said contracting parties have had no intention or purpose of making actual delivery or receiving the property or thing in specie, shall be deemed and is hereby declared gaming. Gaming contracts.

SEC. 2. *Be it further enacted,* That any sale of any property or thing, or any contract or agreement for such sale for future delivery, whereby the purchaser is by the contract or agreement inhibited from paying whatever margins or part of the cost or value of the article, property, commodity or thing purchased, as the said purchaser may see proper, or which inhibits the purchaser from paying and keeping his margins good, or which inhibits the purchaser from making, realizing or receiving more than a certain stipulated gain or profit by said sale or purchase, shall be deemed void, and the same is hereby declared gaming. Void contracts.

SEC. 3. *Be it further enacted,* That if any person shall buy or sell or contract for the purchase or sale of any property or thing enumerated in section 1 of this Act, and in violation of any of the provisions of sections 1 and 2 of this act, he shall be guilty of a misdemeanor, and upon conviction thereof, for every such violation shall be punished as now provided by law for the punishment of gaming: *Provided,* he shall not be fined less than twenty-five dollars nor more than two hundred and fifty dollars, or imprisoned in the county jail not exceeding one year, or both fined and imprisoned within these limits. Penalties.

SEC. 4. *Be it further enacted,* That in all prosecutions under this Act, no prosecutor shall be required, and it is sufficient to charge that the defendant did game or wager or deal in futures without setting forth with whom he dealt, but the indictment or presentment shall Prosecutions.

charge a violation of some of the provisions of this Act either in terms or substance.

Grand juries. SEC. 5. *Be it further enacted*, That the Circuit and Criminal Court Judges of the State shall give this Act in charge to the grand juries and it shall be the duty of said grand juries to present or, at the instance of the Attorney General, to indict all persons violating any of the provisions of this Act, and for this purpose the grand jury are clothed with inquisitorial powers as provided in section 5087a, Revised Statutes of Tennessee (Thompson & Steger's edition).

SEC. 6. *Be it further enacted*, That all laws inconsistent with the provisions of this Act, are hereby repealed.
Passed March 30, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 30, 1883.

WM. B. BATE,

Governor.

CHAPTER CCLII.

AN ACT to authorize municipal corporations having a population of not less than four thousand nor more than twenty thousand, to issue bonds for the construction of water-works, and provide by taxation for their redemption.

Bonds authorized. SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That municipal corporations chartered in the State, having a population of not less than four thousand nor more than twenty thousand inhabitants by the Federal census of 1880, are hereby authorized to issue their coupon bonds to amount not exceeding the sum of one hundred thousand dollars, in denominations ranging from one hundred to one thousand dollars, having not less than ten nor more than thirty years to run, payable at some point in the State of Tennessee, to be designated by corporate ordinance, and bearing a rate of interest of not more than six per cent *per an-*

num, for the purpose of providing said corporations with suitable water-works.

SEC. 2. *Be it further enacted*, That the bonds authorized by the Act to be issued, shall be known as water-works bonds of 18— (inserting the year), and shall be used by said corporation exclusively in the purchase and erection, or causing the erection, of water works suitable for said corporations, so as to procure for them and their inhabitants an ample supply of pure water, and for purchasing or contracting for all grounds, rights of way, engines, main and supply pipes, stand pipes, aqueducts, filters, machinery, apparatus, fixtures, tools and materials of whatever character incident to the proper construction and operation of such water-works. Purpose.

SEC. 3. *Be it further enacted*, That for the purpose of enabling said corporations to construct said improvements, they are hereby further authorized to use said bonds in payment, in whole or in part, for the same, in whole or in part, or to sell said bonds, in whole or in part, and appropriate the proceeds to the payment for said improvements, in whole or in part, as the case may be; *Provided*, said bonds shall not sell for less than par.

SEC. 4. *Be it further enacted*, That said municipal corporations are hereby further authorized and empowered to levy and collect an annual tax, in addition to all other city taxes, for the purpose of paying the interest on said bonds, the redemption of the bonds themselves at maturity, or retiring the same, at the election of the corporation, at the expiration of such times as may be fixed by ordinance providing for their issuance, and designated on the face thereof. Tax.

SEC. 5. *Be it further enacted*, That said bonds shall not be issued and a tax for payment of the same, shall not be levied or collected except upon an election to be first held by the qualified voters of said corporation, the proposition to issue said bonds, and levy said tax, shall obtain the assent of two-thirds of the votes cast at said election; such election shall be advertised at least twenty days, either in some newspaper published in said municipality, or by printed handbills posted at different places in said city, in such manner as may be provided by appropriate corporate ordinance, and shall be held as other municipal elections in said city are held: *Provided*, that if such proposition shall have been at any time rejected at any election held for the purpose of obtaining the assent of the qualified voters thereto, said municipal corporation may at any other time after thirty Election.

days, proceed by ordinance to order another election, which shall be provided for, advertised and held in the same manuer as provided for the election in the first instance.

SEC. 6. *Be it further enacted*, That this act take effect from and after its passage, the public welfare requiring it.

Passed March 30, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 30, 1883.

WM. B. BATE,

Governor.

CHAPTER CCLIII.

AN ACT to provide for the authentication and registration of the acknowledgment of satisfaction and discharge of mortgage, trust and other liens, by an entry in the margin of the record thereof.

Acknowledg-
ment.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the satisfaction of any debt, contract or obligation whatever, secured by mortgage, of trust, liens retained upon the face of any deed or conveyance, or any other lien whatever, evidenced by written instrument, heretofore or hereafter made, probated and registered according to law, and the discharge of any such mortgage, deed of trust, or other lien whatever, may be acknowledged by the payee, creditor, obligee, or holder of such debt, contract or obligation, or his true and lawful assignee, or the personal repre-

sentative of such holder or his assignee, by an entry in writing, subscribed in the presence of the register of the county where any such instrument is lawfully registered in the margin of the record thereof: *Provided*, said register is personally acquainted with such holder or person making such acknowledgment, and shall subscribe the same as a witness, and in testimony of the lawful authentication thereof, which official signature shall fully purport and conclusively imply, and any such entry, when made in accordance with this Act, shall have the same effect as a deed of release or quit claim duly executed by the person making said acknowledgment authenticated and registered.

SEC. 2. *Be it further enacted*, That said acknowledgment may be in substantially the following form: I (or "we") _____, declare that I am (or "we are") the true and lawful holder (or "holders") of the claim (or part of the claim, and specifying what part) secured by the instrument within recorded, and hereby acknowledge the satisfaction thereof and discharge of the lien to secure the same in full (or if one part state what part).

Form of acknowledgment

This — day of ———.

A. B.

Attest as to A. B.:

C. D., Register.

SEC. 3. *Be it further enacted*, That said entry, except the signature of the person or persons making said acknowledgment, shall be wholly in the handwriting of the Register: *Provided*, he may charge and collect for his services in writing and making said entry, and officially authenticating the same with his attestation and signature, the sum of twenty-five cents.

Register's fee.

SEC. 4. *Be it further enacted*, That such marginal entry shall, from the time it is made, constitute a part of the record pertaining to such instrument, and shall constitute a part of any transcript of the same thereafter made and certified: *Provided*, in case any person having lawful custody of the original instrument, with its certificate of registration, or of certified transcript made before said acknowledgment was recorded, may apply to the Register, who shall, on payment of a fee of twenty-five cents, certify a true copy thereof upon said original instrument or certified copy previously made: *And provided further*, that said acknowledgment, duly certified in any of the methods mentioned in this Act, shall be received in evidence in any of the courts of this State in any matter, contention or litigation wherein the same may be material.

Entry part of the record.

SEC. 5. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 30, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 30, 1883.

WM. B. BATE,
Governor.

CHAPTER CCLIV.

AN ACT to amend sections 7, 9, 10, 11 and 14 of an Act entitled an Act to amend section 7 of an Act passed March 19, 1875, entitled "An Act to provide for the organization of corporations," and also to amend said Act so as to provide for the organization of Mutual Marine Insurance Companies, and to amend section 5 of said Act so as to provide for the organization of Stock Yards and Packing Companies.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That sections 7, 9, 10, 11 and 14 of the Act entitled as in the caption hereof, being sections 7, 9, 10, 11 and 14 of Chapter 126 of Acts of 1881, approved April 6, 1881, be so amended as to permit any of the persons who have signed and delivered their written obligations to the guaranty fund of the corporation authorized by said Act, to retire and be relieved from their said obligation; *Provided*, that before any such person or persons shall be relieved and discharged from said guaranty, and other person or persons shall enter into an obligation similar to the original obligation, said substituted guarantor or guarantors shall be in every way acceptable to the Board of Trustees of the company of which he or they may offer to become guarantor or guarantors, and the consent of said Board to the substitution be obtained.

SEC. 2. *Be it further enacted,* That when any person or persons shall be thus substituted as guarantors, and the consent of said Board obtained thereto, said obligation of guaranty shall be acknowledged before the Clerk of the County Court of the county in which the company is located, and the same, together with the action of the Board of Trustees, shall be registered in the office of the Register of said county. Acknowledgment and registry.

SEC. 3. *Be it further enacted,* That when said obligation of guaranty shall have been thus acknowledged and registered, the guarantor or guarantors desiring to retire and be relieved, shall be relieved from all liability upon the guaranty accruing subsequent to the acknowledgment and registry of said substituted obligation, and the substituted guarantor or guarantors shall be and become liable for all subsequent losses and damages, and entitled to all the benefits of said Act in as full a manner as though he or they had originally signed the obligation of guaranty. Release.

SEC. 4. *Be it further enacted,* That the discharge of one or more of the guarantors, under the provisions of this Act, shall in nowise impair the liability of the remaining guarantors, but all such guarantors shall be and remain liable upon this obligation in as full manner as though no substitution had been made.

SEC. 5. *Be it further enacted,* That at any time any substituted guarantor may be relieved and another guarantor substituted in his stead, upon such steps being taken as are required by this Act in cases of first substitution, and no substitution shall impair the obligations of the remaining guarantors. Repeated substitutions.

SEC. 6. *Be it further enacted,* That at any time any guarantor shall have the right to redeem the amount of his guaranty by substituting another person or persons who are willing to assume a portion of his obligation: *Provided,* said proposed guarantor or guarantors shall be acceptable to the Board of Trustees, and its consent obtained thereto, which substituted guaranty shall be acknowledged, and it and the consent thereon registered as required in section 3 of this Act, and said redemption and substitution shall in no wise impair the obligation of the other guarantors. Redemption by substitute.

SEC. 7. *Be it further enacted,* That should any guarantor die, then the Board of Trustees shall have the power to substitute another guarantor or guarantors in the room of such deceased guarantor, which substituted guarantor shall sign and acknowledge the proper obli- Death of guarantor.

gation of guaranty, which, together with the action of said Board, shall be registered as provided in section 3 of this Act, and the estate of the deceased guarantor shall thereafter cease to be liable for the subsequent losses and damages and shall not thereafter be entitled to any further benefits of said Act, and such substitution shall in nowise impair the obligation of the other guarantors.

Preliminaries. SEC. 8. *Be it further enacted,* That before this Act shall apply to any corporation already organized under the Act which this is intended to amend, the Board of Trustees of such corporation shall adopt it as a part of their charter, which Act shall be signed and acknowledged by the Trustees, and registered as now required in cases of amendment of charter.

Redemption of surplus. SEC. 9. *Be it further enacted,* That should any company, already organized under the Act which this is intended to amend, have a guaranty fund exceeding one hundred thousand dollars; said company may by vote of its Board of Trustees redeem its guaranty fund and allow any guarantor or guarantors to retire therefrom and be released from their guaranty, or allow any guarantor or guarantors to redeem the amount of his or their guaranty: *Provided,* that the guaranty fund of said company shall at no time be less than said sum of one hundred thousand dollars, and such retirement and release of reduction, by said guarantor or guarantors, shall in nowise effect the liability of the remaining guarantors, but they shall remain liable as fully as though no such action had been had.

SEC. 10. *Be it further enacted,* That this act take effect from and after its passage the public welfare requiring it.

Passed March 30, 1883

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 30, 1883.

WM. B. BATE,
Governor.

CHAPTER CCLV.

AN ACT to amend an Act passed April 5, 1881, entitled "An Act to amend an Act to provide for the establishment and to prescribe rules for the government of the State Normal School, or Schools," passed and approved March 23, 1875.

WHEREAS, By authority bestowed by former Acts of the General Assembly of this State, the State Board of Education, with the co-operation of the Trustees of the Nashville University, have established and maintained a State Normal College at Nashville; and

WHEREAS, The State Normal College has been singularly successful in commanding the respect, the confidence and patronage of the people of the Southern States; and

WHEREAS, The Trustees of the Peabody Education Fund have voted that their General Agent be empowered to allow to Tennessee a proportionate number of scholarships whenever and so long as Tennessee shall give annually to the College \$10,000 free from all encumbrances; Therefore,

SECTION 1. *Be it further enacted by the General Assembly of the State of Tennessee,* That section 3 of an Act passed April 5, 1881, and approved April 6, 1881, entitled "An Act to amend an Act to provide for the establishment, and to prescribe rules for the government of a State Normal School, or Schools," passed and approved March 23, 1875, be and the same is hereby repealed.

SEC. 2. *Be it further enacted,* That the \$10,000 annually appropriated in section 2 of said Act, approved April 6, 1881, shall be used by the State Board of Education to support said Normal College at Nashville, exclusively; *Provided,* that the General Agent of the Peabody Board of Trustees shall allow to this State Peabody scholarships on the same condition as those granted other States.

SEC. 3. *Be it further enacted,* That the State Board of Education shall, at proper times, inspect the management of the State Normal College, and audit the accounts for the disbursement of the funds, and make a biennial statement, through the Governor, to the Legislature, showing its condition and progress, and otherwise guard the State's interest in the same.

SEC. 4. *Be it further enacted,* That section 4 of said Act, approved April 6, 1881, be and the same is hereby

so amended as to substitute for the words "twenty-five hundred" the words "three thousand three hundred" which amount shall be appropriated out of the State treasury over and above the \$10,000 annually, to be used by the said State Normal College; it being intended that this shall be a separate fund, to be used by said State Board of Education to defray the expenses of two colored pupils from each senatorial district of the State in approved institutions of learning, as provided in section 4 of said amended Act.

SEC. 5. *Be it further enacted*, That this act shall take effect and be in force from and after its passage, the public welfare requiring it.

Passed March 30, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 30, 1883.

WM. B. BATE,

Governor.

CHAPTER CCLVI.

AN ACT for the relief and benefit of John L. Farriss, J. R. Holmes, John Aldridge, S. H. Mitchell and J. H. Reeder, sureties of C. Schull, former County Court Clerk of McNairy county.

WHEREAS, at the October term, 1874, C. Schull gave bond as County Court Clerk of McNairy county, with J. R. Holmes, John Farriss, John Aldridge, J. H. Mitchell and J. H. Reeder, as his sureties; and

WHEREAS, said Schull defaulted, and at the ——— term, 188—, of the Circuit Court of McNairy county, the State recovered a judgment for such default against Schull and his said securities for something between four and five thousand dollars; and

WHEREAS, said Schull and all his bondsmen, except said J. H. Reeder and J. H. Mitchell, are wholly, helplessly and utterly insolvent; and

WHEREAS, all the property (being real estate) owned by said Reeder and Mitchell is now under decree of sale to satisfy said judgment, which property is of less value than ten thousand dollars, and is their only property that can be reached for said debt; therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That upon said sureties, or any one or more of them, within sixty days after the passage of this Act, paying into the hands of the Circuit Court Clerk of McNairy county the sum of two thousand dollars in cash, the said sureties shall be released and forever discharged from any further liability to the State upon such bonds given at the October term, 1874, of the County Court of McNairy county, or any judgment recorded thereon, and upon said amount being paid in manner and form as directed, any judgment or decree rendered on said bond for said default shall be declared satisfied, and the clerk or clerks of any court in which said judgment or decree may have been rendered, shall satisfy said judgments in full.

SEC. 2. *Be it further enacted*, The release or discharge of said sureties shall not release or affect the liability of the principal, C. Schull, on said judgment or decree, but his liability shall continue as though this Act was not passed.

SEC. 3. *Be it further enacted*, That this Act take effect from and after its passage, the public welfare requiring it.

Passed March 30, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 30, 1883.

WM. B. BATE,

Governor.

CHAPTER CCLVII.

AN ACT to facilitate the trial of causes in the Supreme Court at Knoxville, Jackson and Nashville.

Appointment
and duties of
referees.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the judges of the Supreme Court are hereby authorized to appoint, in each grand division of the State three persons, one from each grand division of the State, learned in the law, who shall not be less than thirty years of age, who shall compose a commission of referees, to whom said court may, by rule made in vacation, or term time, refer such civil causes (except revenue causes) as are now pending, or may be pending in said court at any time prior to the 1st day of January, 1885, at Jackson, Knoxville and Nashville, as said judges may select, by order made at either Jackson, Knoxville or Nashville, for investigation, and report upon the facts and law, such reports to be in writing, and be signed by at least two of said referees, and which reports shall be made to the court for such action thereupon in open court as they may deem proper.

Oaths and
powers. 1

SEC. 2. *Be it further enacted*, That said referees, before entering upon the discharge of their duties, shall take an oath of office similar to that prescribed by law to be taken by judges of the Supreme Court, and they shall sit for the investigation of causes in the Supreme Court room at Jackson, Nashville and Knoxville, and shall give notice in the order in which they shall hear causes in one newspaper published at the place where said commission will sit, at least two weeks before entering upon the discharge of their duties. Said commission may sit during the term of the Supreme Court, and during the vacation of said court also, if necessary; the clerks of the Supreme Court are authorized to provide rooms and accommodations for these sittings, other than those used by the Supreme Court.

Marshal.

SEC. 3. *Be it further enacted*, That the clerks of the Supreme Court at Jackson, Knoxville and Nashville, either in person or by deputy, shall wait upon said commission, and the commission shall appoint a marshal to attend upon said commission while in session, who shall perform the duties prescribed by law to be performed by sheriffs in attendance upon the courts of the State, said marshal to receive the same compensation now

paid to the officers now waiting upon the Supreme Court, and who shall be paid in same manner as said officer is paid.

SEC. 4. Said referees shall have power to make rules and regulations for the maintenance of order and conduct of business, and shall have all the powers of the Courts of Tennessee to enforce order, and punish for contempt.

SEC. 5. That in case of the disqualification of any one of the referees to act in any case submitted to them by the court, the place of such disqualified referee may be supplied by the temporary appointment made by the Supreme Court, if in session, and if not, then by a majority of the Judges thereof, and in case of any vacancy occurring by resignation or otherwise, such vacancy shall be filled in the same manner; such appointment to be only for the unexpired term, and all such appointments, whether to serve in place of one disqualified or to fill a vacancy, shall take the oath as heretofore prescribed.

SEC. 6. Said referees shall file written reports of the facts and law in each case determined by them with the Clerk of the Supreme Court, who shall endorse thereon the date of filing the same, and who shall at once mail notice to the counsel of record, if there be such, of the fact of filing such report, and the mailing of such notice to the address of such counsel shall be sufficient notice. If no counsel be of record in the Supreme Court no notice shall be necessary, and for fifteen days thereafter either party shall have the right to file with the Clerk specific exceptions thereto, pointing out definitely the error or errors complained of, and accompanying such exceptions there shall be filed a brief, citing in most concise manner the specific testimony relied upon, designating page of record as well as all authorities, and no exceptions shall be taken to such report unless filed as above provided, and within the time designated. The reports of such referees shall not be reported in the reports of the State, and shall have no force or effect as precedents. Said referees shall be paid a salary of two hundred and fifty dollars per month while actually engaged in the discharge of their duties, to be paid in the same manner in which the Judges of the Supreme Court are paid, and any referee or referees to take the place of any referee or referees disqualified, or to fill a vacancy or vacancies, shall also be paid for the time in which they are actually engaged in discharging the duties of the office at the rate of three thousand dollars per

Substitutes.

Report. to the
Supreme Court

Salaries.

Expenses.

annum, and in the same manner in which the regular referees are paid. The incidental expenses of such commission shall be paid in the same manner that the expenses of the Supreme Court are now paid, and the term of office of the referees herein provided for shall not continue longer than two years from the date of their appointment, and shall terminate sooner if the business referred to them shall be sooner finished. The same disqualifications shall apply to a referee as now apply to a Supreme Judge.

SEC. 7. This Act shall take effect from and after its passage, the public welfare requiring it.

Passed March 30, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 30, 1883.

WM. B. BATE,

Governor.

CHAPTER CCLVIII.

AN ACT to reduce the Acts incorporating the town of Paris, Tennessee, and the various amendments thereto, to one Act, and to amend the same.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That the Act incorporating the town of Paris, and the various amendments thereto, be and the same are hereby amended so as to read as follows: The inhabitants of the city of Paris, within the following boundaries heretofore established, are hereby constituted a corporation and body politic by the name and style of the Mayor and Board of Aldermen of the city of Paris. The boundaries of said city of Paris are as follows: Beginning at the southeast corner of Mrs. J. H. Dunlaps' yard, running thence west 177 poles to a rock 20 feet east of Russell's Lake, thence north 240 poles to a stake in the northwest corner of the old Fair

Name.

Boundaries.

Ground, thence east 177 poles to a stake north of the west end of the trestle east of Thomson's Mill, thence south 240 poles to the beginning.

SEC. 2. The mayor and board of aldermen of the said city of Paris shall have perpetual succession, shall sue and be sued, implead and be impleaded in all the courts of law and equity and in all actions whatsoever; may purchase, receive and hold property, real and personal, within said city, and may purchase, receive and hold property, real and personal, beyond the limits of the city to be used for the burial of the dead, for the erection of water-works, work-houses or house of correction, and may sell, lease or dispose of such property for the benefit of the city, and do all other acts touching the same as natural persons; they shall have and use a common seal and may change it at pleasure.

General power.

SEC. 3. The officers of the city of Paris to be chosen by the people, shall be a Recorder, a Marshal, a Mayor and Board of Aldermen, constituting a city council, each and all of whom shall be citizens of and voters in the said city. The board of aldermen shall consist of six members, chosen by the qualified voters of said city for two years. No person shall be an alderman unless he be a *bona fide* resident of the city for which he is chosen, and shall be owner of a free-hold estate of the value of \$250. Any alderman, after his election, removing from the city shall thereby vacate his said office.

Officers elected by the people.

SEC. 4. The city council shall, at its first meeting in each year, elect a city treasurer and such other officers, servants and agents as they may deem necessary, and may provide for by ordinance and shall have power to prescribe the duties of same, all of which officers, agents and servants shall be *bona fide* citizens of, and voters in, said corporation. The city council shall also fix the compensation of such officers, etc., before their election, which compensation shall not be increased or diminished during their continuance in office. The council shall also have power to dismiss any officer servant or agent elected or by them appointed, two-thirds of said council concurring in such dismissal, for any misdemeanor or misconduct. The city council shall, at its last meeting in March, also fix the salaries of the mayor and board of aldermen, marshal and recorder, to be chosen for the next corporate year, at the regular election to be held on the first Saturday in April, to serve for the ensuing twelve months, which compensation shall not be changed unless two-thirds of the new board of mayor and aldermen con-

Officers elected by the Council

Salaries.

cur therein, and then not increased during their continuance in office. The salaries of any of the other officers, agents and servants shall be fixed by the incoming board of mayor and aldermen.

Powers by ordinance.

SEC. 5. The city council shall have power, by ordinance, within the city—

1. To levy and collect taxes upon all real and personal property, polls and privileges taxable by the laws of the State.

2. To appropriate money and provide for the payment of the debt and expenses of the city.

3. To make regulations to prevent the introduction of contagious diseases into the city, or appoint a board of health for the purpose, who are empowered to enforce the same within one mile of the city limits.

4. To establish hospitals, and make regulations for the government of the same.

5. To establish a system of free schools, and maintain them by taxation when such taxation shall have been ratified by two-thirds of the qualified voters of the city, and to regulate the said schools so as to avoid sectarian influence.

6. To make regulations to secure the general health of the inhabitants, and to prevent nuisances.

7. To provide the city with water-works within or beyond the city limits.

8. To open, alter, abolish, widen, extend, establish, grade, pave or otherwise improve, clean, keep in repair streets, alleys and sidewalks, or to have the same done.

9. To erect, establish and keep in repair bridges, culverts, sewers and gutters.

10. To provide for lighting the streets.

11. To erect market-houses, to establish markets and regulate the same.

12. To provide for the erection of all buildings necessary for the use of the city.

13. To provide for the enclosing, improving and regulating all public grounds belonging to the city, in or out of the city limits.

14. To license, tax or regulate every thing or person licensed, taxed or regulated by the State or county.

15. To regulate or prohibit and suppress all disorderly houses and bawdy-houses.

16. To provide for the prevention or extinguishment of fires, to organize and establish fire companies, to regulate, restrain and prohibit the erection of wooden buildings in any part of the city, to regulate and prevent the

carrying on of manufactures dangerous in causing and producing fire.

17. To regulate the storage of gunpowder, tar, pitch, rosin, saltpetre, assafetida, gun cotton, and all other combustible materials, and the use of light, candle and stove pipes in all stables, shops and other places.

18. To establish standard weights and measures, and regulate the weights and measures to be used in the city in all cases not otherwise provided for by law.

19. To provide for the inspection of lumber and other building material.

20. To provide for the inspection and weighing or measuring of everything not prohibited by State laws.

21. To regulate the police of the city, to impose fines, forfeitures and penalties for the breach of any ordinance, and to provide for the recovery and appropriation of the same, and to appoint an officer for the city, being the mayor, before whom such recovery may be had, not, however, to exclude the jurisdiction of the justice of the peace in said city, in cases to be hereinafter provided for.

22. To provide for the arrest and confinement until trial of all disorderly or notorious persons, within the city by day or by night; to authorize the arrest and detention of all suspicious persons found violating any ordinance of the city.

23. To prevent and punish by pecuniary penalties or otherwise all breaches of the peace, noise, disturbances, or disorderly assemblies in any alley or street, house or place in the city by day or by night.

24. To fix from time to time the number and boundaries of the city wards which shall not be changed oftener than every five (5) years.

25. To prevent and recover all encroachments into and upon all streets, lands, avenues and alleys established by law or ordinance.

26. To remove all obstructions from the sidewalks, and to provide for the construction and repair of all sidewalks and curbstones, and for cleaning the same, and of the gutters, at the expense of the owners of the ground fronting thereto.

27. To pass all ordinances, not contrary to the constitution and laws of the State, that may be necessary to carry out the provisions and full intent and meaning of the object of their incorporation.

28. To commit any person, who may fail or refuse to pay or secure any fine or cost imposed on him or them by any ordinance of said city, to the jail or work-house

until such fine and cost be fully paid or secured; every person, so committed to the jail or work-house, shall be required to work for the city, at such labor as his or her health and strength will permit, within or without said jail or work-house, not exceeding ten (10) hours each day, and for such work the person so employed shall be allowed, exclusive of his board, a credit upon such fine and cost of not less than fifty (50) cents a day until the whole is discharged, when he shall be released: *Provided*, that no person shall be compelled to work longer than three months for any one offense.

29. To prepare and have published a digest of all the ordinances and resolutions, of a public nature, now in force, within six months after the passage of this Act, and a like digest thereafter as often as may be needed.

30. No member of the city council shall become a bondsman for any agent, officer or servant of the city.

Elections,

SEC. 6. The election for mayor and board of aldermen, marshal and recorder, of said city of Paris, shall be held by the sheriff of Henry county, either in person or by deputy, aided by two clerks only and three judges, all of whom shall be legal voters in said city, on the the first Saturday in April of each year, after giving ten days' notice. The voters shall vote by ballot and under such rules and regulations as the board of aldermen may prescribe as to the place, hours, etc., of voting, by ordinance. The officers of the city thus chosen shall go into office on the second Saturday in April, the aldermen to hold office for two years, the mayor, marshal and recorder for one (1) year, or until their successors are elected and qualified. The following shall be the qualifications for voting in city elections:

1. He shall be qualified to vote for State and county officers.

2. He shall have resided for six months, next preceding the election, within the city limits, or shall be a *bona fide* owner of real estate, within the city limits, of the assessed value of at least \$50.

3. If a citizen of the city, as provided for in 2d, he shall have been a resident of the ward for the officers of which he proposes to vote at least twenty days next preceding the first Saturday in April, the day of the election. A voter's residence is hereby defined as the place at which he habitually sleeps.

SEC. 7. The judges and clerks to hold the election shall be sworn and qualified according to the election laws of the State, and the said election shall be con-

ducted in all respects as are the various State and county elections, by virtue of the election laws of the State. The judges and clerks shall file the poll list with the city recorder, who shall preserve the same.

SEC. 8. The person receiving the highest number of votes respectively for marshal and recorder, mayor and aldermen, shall be declared elected, and it shall be the duty of the officer holding said election to make out and deliver to the recorder elect, a certificate of their election, within three days thereafter, which certificate shall be produced at the first meeting of the board, and a minute thereof shall be made upon the records of the city, and if the sheriff shall fail to hold said election, at the time herein mentioned, it shall be his duty to hold it as soon after as may be, after giving the requisite notice, and for failure to hold the election as prescribed in this Act he shall forfeit and pay to the said corporation the sum of fifty dollars, to be recovered by action of debt in the name of the mayor and board of aldermen of the city of Paris. And if there be no sheriff of said county, the election shall be held by the coroner of said county under the same rules, regulations and penalties, as are hereinbefore prescribed.

SEC. 9. A majority of the city council shall be a quorum to do business, and if the mayor, marshal, recorder, or any of the aldermen, or any officer should die, resign or City Council. move out of the city limits, the vacancy shall be supplied by the council at its next meeting, or as soon thereafter as may be, after giving ten (10) days notice thereof, and the person or persons so elected shall perform the same duties and be vested with the same powers and privileges as the person whose duties they are appointed to fill, and upon like condition the mayor, recorder, marshal and aldermen, shall respectively take an oath, before entering upon the duties of their office, to execute the same faithfully and impartially, and also the mayor and aldermen shall take an oath to support the Constitution of the United States and the Constitution of the State of Tennessee.

SEC. 10. The mayor shall hold his office for one year, and until his successor shall be elected and qualified. No person shall be elected mayor who is not at the time of Mayor. his election a citizen of the State of Tennessee, and a *bona fide* citizen of and voter in the said city. A vacancy in the office of mayor shall be filled by the board of aldermen. The mayor may fill all vacancies occurring in any office except that of alderman, until the same be

filled by election by the city council ; it shall be the duty of the mayor to preside at all meetings of the council ; to vote in the election of all officers of the city ; to take care all the ordinances of the city are duly enforced, respected and observed within the city limits ; to call special sessions of the council when he may deem expedient, and to perform such other duties as the city council may, by ordinance or otherwise, impose upon him. A mayor's court is hereby established, and the mayor is hereby vested with all the powers of a magistrate of Henry county, and shall try all offenses against the peace and dignity of the city of Paris ; *Provided, however,* that a change of *venue* may be had in any case when affidavit is made by the accused, and at least one disinterested party, that justice, in their opinion, will not be meted out by the mayor, to any magistrate of the city of Paris, who is hereby authorized to try and decide such case or cases. In the event an appeal is taken from any issue imposed by the mayor of said city for violation of any of its ordinances, to the circuit court at Paris, Tennessee, the person so appealing shall give bond and security for the payment of said fine and cost, and to abide by and perform the judgment of the court on appeal, and shall in no case be entitled to an appeal from said fine and cost on the pauper's oath. The marshal shall acquaint himself thoroughly with the laws and ordinances of the city, and it shall be his duty to rigidly enforce the same, for which purpose police authority is hereby given him, which he may exercise without warrant in hand ; he shall collect all taxes levied by the council, except privileges and special taxes, and shall perform such other duties as the city council may by ordinance impose upon him ; he shall have power to execute State warrants and other processes which constables generally have, within the city limits. The recorder shall keep an accurate minute of all the proceedings of the city council, issue or privilege license, and collect taxes on the same ; he shall collect all special taxes levied by the city council, and shall keep a proper ledger account of the same ; he shall have supervision over the city cemeteries, and shall, at the prices fixed by the council, sell all grave lots, keeping a faithful record of all such lots sold, according to the plot of the cemetery ; he shall receive as his fee from parties taking out license or purchasing grave lots, one dollar for each license issued or grave lot sold ; he shall make out the city tax books, and turn the same over to the marshal for collection, taking his receipt

Mayor's Court

Appeals.

Marshal.

Recorder.

therefor under the State laws regulating and governing the assessors of State and county taxes; the compensation for this service shall not exceed, annually, twenty dollars; he shall have supervision over and care of other city property, unless otherwise provided by ordinance; he is hereby vested with the same power as the mayor to try cases in case of the absence of the mayor. The recorder shall perform such other duties as the city council may by ordinance impose upon him. The city treasurer shall receive from the city marshal and recorder receipts for, take care of, and keep a proper account of all funds of whatsoever nature that may come into his hands; for such purpose he shall keep such book or books as the city council may direct: he shall make out and present quarterly a full and explicit account and report of all finances under his control, and also a complete statement of the finances of the city, which report the city council may order published for the information of the city; before entering upon the discharge of his duties he shall give bond, with good securities, conditioned upon the faithful and honest discharge of all the duties pertaining to his office, and similar in all respects to that of the marshal and recorder as hereinafter provided; he shall perform such other duties pertaining to his office as the city council may by ordinance provide; his fee shall not exceed two and one-half ($2\frac{1}{2}$) per cent of all moneys passing through his hands, and may be fixed at a less sum by the city council.

SEC. 11. The mayor and marshal shall receive such fees as justices of the peace and constables are authorized to receive for rendering judgments, service of process, etc; and the marshal shall receive such other fees for other services as the Council may allow him.

SEC. 12. Before entering upon the discharge of their duties the recorder and marshal shall enter into bond, with good securities, in double the supposed amount of money which may come into their hands, conditioned upon the faithful performance of their duties, and upon the diligent collection and faithful accounting for all moneys that shall, or ought to come into their hands for fines, forfeitures, and other moneys due said city, and which ought by law to be collected and paid over by them, and the said marshal shall be liable as herein mentioned for failing to collect money, to return process, or pay over money collected by process issued by the recorder or mayor; said bonds shall be made payable to the mayor and aldermen of the city of Paris, and

Treasurer.

Bonds of officers.

their successors in office, for the use and benefit of said city; said bonds shall be filed and carefully preserved among the records of said city. The city marshal and recorder shall pay over to the treasurer all sums of money by them received for the said city of Paris, they shall both render quarterly, and as much oftener as the city council may require, full and complete statements of the finances under the control of each of them.

SEC. 13. The duties of the other officers, servants and agents of the city shall be such as the city may by ordinance prescribe.

Prisoners.

SEC. 14. It shall be the duty of the jailor of Henry county to receive and keep in jail any person who may be committed to his charge for a breach of the by-laws of ordinances of said city, and all riotous and disorderly persons committed to his charge by the city marshal or other officer of the city, for which he shall receive such fees as may be contracted by the city council by and with his consent.

Streets and
alleys of old
town.

SEC. 15. In all cases where there have been conveyed by any person or persons to the former corporation of the town or city of Paris, any roads, streets, alleys, lots, graveyards, or other property, the same shall inure to the use of said corporation hereby created, and vest in it forever, and in all cases where the town or city of Paris, by commissioners or by the mayor or board of aldermen, has hereby sold and conveyed property such sales and conveyances are made valid and good to the purchaser, and all possessions held under and by virtue of said sales and conveyances shall be effectual to carry the legal title and estate in the same to persons holding possession and their heirs forever.

Delinquent
taxes.

SEC. 16. When any tax or duty shall be levied or imposed by said corporation upon any real estate lying within said city of Paris, and the owner or owners, occupier or occupiers thereof shall not pay the same, and the city marshal make return of that fact and under oath, that the owner or owners have no personal property within the said city upon which to distrain for the said tax or duty, it shall be the duty of the recorder, by and with the advice and consent of the council to take such steps for the collection of said taxes or duties as are or may be provided by the laws of the State.

Delinquent
officers.

SEC. 17. If the recorder or city marshal of said city shall fail to collect, or, after collecting, shall fail or refuse to pay over any moneys by either of them received for the use of said city, said recorder or marshal, as the case

may be, shall be liable to be proceeded against by motion or suit at common law in the Circuit Court at Henry county or any other court having jurisdiction of the person of such recorder or marshal, as the case may be, and it shall be the duty of such court to enter up judgment against such delinquent officer and his securities for the money so received, or that ought to have been collected, in the name of the mayor and board of aldermen of the city of Paris for the use of said corporation, provided that if the proceedings be by motion, such officer shall have five days notice thereof.

SEC. 18. *Be it further enacted*, That at the first election under this Act the three persons receiving the highest number of votes for aldermen shall hold for two years, the other three for one year only, and forever thereafter there shall be elected annually three aldermen who shall hold for two years. Terms of Aldermen.

SEC. 19. *Be it further enacted*, That the first election under this Act shall be holden on the first Saturday in April, 1884, and that the present board of mayor and aldermen, marshal, recorder and treasurer, shall hold over until their successors are elected and qualified. Election.

SEC. 20. *Be it further enacted*, That all Acts or parts of Acts contrary to, or inconsistent with, the provisions of this Act, or within the purview thereof, are hereby repealed.

SEC. 21. *Be it further enacted*, That all ordinances and by-laws heretofore enacted by the city council, and not repealed or rescinded by them, shall be and remain in full force until altered, modified or repealed under this Act.

SEC. 22. *Be it further enacted*, That this amended charter shall take effect from and after its passage, the public welfare requiring it.

Passed March 28, 1883.

B. F. ALEXANDER,

Speaker of the Senate

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 30, 1883.

WM. B. BATE,

Governor.

CHAPTER CCLIX.

AN ACT to defray the current expenses of this General Assembly, and to defray the current expenses of the State Government for the next two years.

SECTION 1. *Be it enacted by the General Assembly of the State of Tennessee*, That, to defray the current expenses of this General Assembly, and to defray the current expenses of the State Government for two years, commencing March 19, 1883, and ending March 19, 1885, the following appropriations are made for the following purposes, and none other, which are to be paid out of the treasury on the warrant of the Comptroller, or so much thereof as may become necessary in the administration of the State Government:

CRIMINAL PROSECUTIONS.

Fees of Clerks, Magistrates, Sheriffs, Witnesses, et al.....	\$ 175,000 00	
Fees of District Attorneys General.....	20,000 00	
Boarding juries.....	20,000 00	
Jail fees.....	90,000 00	— \$305,000 00
Arresting fugitives.....		2,000 00
Lunatics to Asylum.....		500 00

JUDICIAL SALARIES.

Supreme Judges, each \$4,000	40,000 00	
Chancery Court Judges, each, \$2,500...	60,000 00	
Circuit Court Judges, each, \$2,500	80,000 00	
Criminal Court Judges, each, \$2,500...	10,000 00	
Criminal Court Judges, each, \$1,800...	7,200 00	
Common Law and Chancery Judges, each, \$2,000.....	4,000 00	— 201,200 00
Salary of Attorney General and Re- porter		6,000 00

EXECUTIVE SALARIES.

Governor at \$4,000.....	8,000 00	
Comptroller at \$2,750.....	5,500 00	
Treasurer at \$2,700.....	5,400 00	
Secretary of State at \$1,800.....	3,600 00	
Adjutant General at \$1,200.....	2,400 00	
Sup't Hospital for Insane at \$2,000.....	4,000 00	
State Librarian at \$1,000.....	2,000 00	
Superintendent of Capitol at \$600.....	1,200 00	— 32,100 00

OFFICERS OF PENITENTIARY.

Salary of Superintendent, at \$1,800.....	3,600 00	
Salary of Warden, at \$1,000.....	2,000 00	
Salary of Deputy Warden, at \$800.....	1,600 00	
Salary of Physician, at \$1,000.....	2,000 00	
Salary of Chaplain, at \$300.....	600 00—	9,800 00

CHARITABLE INSTITUTIONS.

Hospital for the Insane, \$57,000 per annum.....	114,000 00	
School for Deaf and Dumb, Act March, 1867, per capita allowance \$200, per annum, number of pupils estimated at 100, payable quarterly, for two years.....	40,000 00	
School for Blind, colored pupils, \$2,000 each year.....	4,000 00	
School for Deaf and Dumb, colored pupils, \$2,500 each year.....	5,000 00	
Deficiency, 1882, of Colored Deaf and Dumb School at Knoxville.....	2,500 00—	165,500 00

LEGISLATIVE EXPENSES.

Mileage and per diem of members (on schedule).....	
Mileage and per diem of officers (on schedule).....	
Miscellaneous, printing, stationery, etc.	5,000 00

EXECUTIVE EXPENSES.

Books, blanks, stationery, etc., for four offices.....	3,000 00	
Clerk hire for Comptroller's office, two clerks, one at \$1,500 and one at \$1,000	5,000 00	
Clerk hire for Treasurer's office.....	2,000 00	
Clerk hire for Secretary of State's office	1,800 00	
Clerk hire for Superintendent of Public Instruction's office.....	1,000 00	
Assistant Librarian.....	1,000 00	
Library expense.....	500 00—	14,300 00

CAPITOL EXPENSES.

Two porters at \$25 per month.....	1,200 00	
One porter for Secretary of State and Governor, at \$35 per month.....	840 00	
One nightwatchman at \$30 per month..	720 00	
Gas, fuel, water-tax.....	1,250 00	
Landscape Gardener and day watchman at \$50 per month.....	1,200 00—	5,210 00

BUREAU OF AGRICULTURE, STATISTICS AND MINES.

Salary of Commissioner, at \$3,000 per annum.....	6,000 00	
Expenses of the Department.....	16,000 00—	22,000 00

PUBLIC PRINTING.

Acts, Journals, Appendixes, Messages, etc.....	8,000 00
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SUPREME COURT EXPENSES.

East, Middle and Western Divisions...	8,000 00
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MISCELLANEOUS ACCOUNTS.

Express charges on money from col- lecting officers.....	1,500 00
Tax aggregates.....	2,400 00
Supreme Court Reports, printing and distributing.....	6,000 00
Publishing Governor's proclamations...	500 00
Publishing acts in newspapers.....	500 00
Copying Acts for newspapers, and in- dexing Acts.....	150 00
State Board of Health, \$3,000 per an- num.....	6,000 00
Public Arms Expense.....	100 00
Interest school fund.....	301,500 00
Interest Spencer T. Hunt, school fund to Dickson and Humphreys counties	

LAND SALES.

Fees of Clerks and Trustees for 1882-3	1,500 00
Fees for advertising for 1882-3.....	1,000 00
Fees to the Secretary of State for index- ing commission, proclamation, etc., recording the same.....	1,108 50

SEC. 2. *Be it further enacted*, That the Comptroller of the Treasury issue his warrant to each member of the House, and the officers of the same, for the sum stated to be due in the following schedule:

ROLL OF MEMBERS AND OFFICERS.

NAMES OF REPRESENTA- TIVES.	No. Miles.	Mileage.	No. days.	Per Diem.	Total.
Anderson, J, of Hamilton	426	\$ 68 16	75	\$300	\$368 16
Anderson, R. D. McNairy	356	56 96	75	300	356 96
Atkins, Samuel.....	600	96 00	75	300	396 00
Bachman, W. B.....	774	123 84	75	300	423 84
Ballentine, Wm. F.....	190	30 40	73	292	322 40
Bagwell, Alexander.....	230	36 80	75	300	336 80
Bearden, M. D.....	526	84 16	75	300	384 16
Berry, C. R.....	40	6 40	75	300	306 40
Bible, Nthomas	668	106 88	75	300	406 88
Blackburn, J. K. P.....	164	26 24	75	292	318 24
Bolton, Peter.....	354	56 54	75	300	356 54
Boyd, John W.	392	62 72	75	300	362 72
Bullock, T. W. Dick.....			75	300	300 00
Buntin, W. A.....	88	14 08	75	300	314 08
Burnett, S. A.....	654	104 64	75	300	404 64
Burrus, F. R.....	64	10 24	75	300	310 24
Butler, Roderick R.	825	132 00	75	300	432 00
Caldwell, A. A.....	580	92 80	75	300	392 80
Case, Hurlbert B.....	302	48 32	75	300	348 32
Chapman, R. M.....	588	94 08	75	300	394 08
Daniel, J. B.....	300	48 00	75	300	348 00
Darden, G. A., Henry...	52	8 32	75	300	308 32
Darnall, R. M.....	430	68 80	75	300	368 80
Dow, D. L.....	160	25 60	75	300	325 60
Duncan, J. H.....	180	28 30	75	300	328 80
Ellis, John.....	452	72 82	75	300	372 32
Erwin, W. W.....	264	42 24	75	300	342 24
Fielder, A. T.....	342	59 52	75	300	359 52
Fisk, A.....	260	41 60	75	300	341 60
Fowlks, H. L.....	404	64 04	75	300	364 04
Fulkerson, F. M.....	666	106 56	75	300	406 56
Galbreath, T. M.....	172	27 52	75	300	327 52
Glass, P. T.....	410	65 60	75	300	365 60
Gregg, Nathan.....	782	125 12	75	300	425 12
Hale, W. J.....	88	14 08	75	300	314 08
Hawkins, L. L.....	212	33 92	75	300	333 92
Haynes, Robt. W.....	330	52 80	75	300	352 80
Head, J. M.....	52	8 32	75	300	308 32
Hembree, R. J.....	250	40 00	75	300	340 00

ROLL OF OFFICERS AND MEMBERS—Continued.

NAMES,	No. Miles.	Mileage.	No. Days.	Per Diem.	Total.
Hicks, G. B.....	374	\$ 59 84	75	\$300	\$359 84
Houston, W. C.....	104	16 64	75	300	316 64
Howard, Leon.....	464	74 24	75	300	374 24
Ivie, T. B.....	126	20 16	75	300	320 16
Jackson, G. C.....	578	92 48	75	300	392 48
Jarvis, H. C.....	710	113 60	75	300	413 60
Jones, J. W.....	144	23 04	74	296	319 04
Kelly, M. J.....	464	74 24	75	300	374 24
Kirby, M. L.....	120	19 20	75	300	319 20
Larkin, W. A.....	194	81 04	75	300	331 04
Legg, Edward	546	87 36	75	300	387 36
Looney, A. M.....	90	14 40	75	300	314 40
Mallory, W. J.....	80	12 80	75	300	312 80
Manson, J. A.....	430	68 80	75	300	368 80
Martin, J. D.....	380	60 80	75	300	360 80
McCann, Jno. J.....			75	300	300 00
McDowell, J. H.....	330	52 80	74	296	348 80
McElwee, S. A.....	368	58 88	75	300	358 88
McHaney, L. F.....	356	56 96	75	300	356 96
Miller, C. A	380	60 80	75	300	360 80
Milliken, W. A.....	124	19 84	75	300	319 84
Morris, W. P.....	174	27 84	75	300	327 84
Nixon, O. A.....	149	23 84	75	300	323 82
Northcutt, L. H.....	224	39 04	75	300	339 04
Northrup, J. B.....	400	64 00	75	300	364 00
Overall, H. A.....	130	20 80	75	300	320 80
Pardue, G. M.....	56	8 96	75	300	308 96
Parkerson, J. A.....	392	62 72	75	300	362 72
Parks, R. A.....	159	25 44	75	300	325 44
Patterson, Josiah.....	464	74 24	75	300	374 24
Pemberton, J. H.....	548	87 68	75	300	387 68
Pillow, E.....	150	24 00	75	300	324 00
Porter, W. T.....	114	18 24	75	300	318 24
Ramsey, H. B.....	483	77 28	75	300	377 28
Rivers, D. F.	580	92 80	75	300	362 80
Rogers, John P.....	576	92 16	75	300	362 16
Roscoe, J. W.....		4 00	75	300	304 00
Samsell, R. C.....	632	101 12	75	300	401 12
Sanders, R. C.....	60	9 60	75	300	309 60

NAMES.	No. Miles.	Mileage.	No. Days.	Per Diem.	Total.
Sharp, A. H.....			75	300	\$300 00
Sharpe, E. F.....	440	\$ 70 40	75	300	370 40
Smith, J. L.....	384	61 44	75	300	361 44
Smitheal, G. W.....	540	86 40	75	300	386 40
Sowell, J. M.....	175	28 00	75	300	328 00
Stephens, W. B.....	470	75 20	75	300	375 20
Swope, A. A.....	100	16 00	75	300	316 00
Taylor, Lytton.....			75	300	300 00
Thomas, D. B.....	150	24 00	73	292	316 00
Thomason, J. N.....	270	43 20	75	300	343 20
Thomason, J. K.....	268	42 88	75	300	342 88
Tillman, J. F.....	150	24 00	75	300	324 00
Vaughn, E. R.....	404	64 64	75	300	364 64
Wade, J. J.....	568	90 88	75	300	390 88
Wallace, D. F.....	214	34 24	75	300	334 24
Welch, J. H.....	298	47 68	75	300	347 68
Wendel, E. J.....	483	77 28	75	300	377 28
West, J. A.....	730	116 80	75	300	416 80
White, J. H.....	96	15 36	75	300	315 36
Whorley, Lou.....			75	300	300 00

OFFICERS.

Ledgerwood, W. L.....	526	84 16	75	\$450	\$534 16
Wade, E. B., P. C.....			75	450	450 00
Alexander, J. E.....			75	450	450 00
Wallace, J. W.....			30	180	180 00
Crockett, C. W.....			75	300	300 00
Griffin, G.....			75	300	300 00
Kennedy, J. B. Mrs.....			75	450	450 00
Dromgoole, Willie, Miss..			5	30	30 00
Plummer, A. L.....			3	18 00
Bell, Chas., Porter.....			75	225	225 00
Rains, John, ".....			75	225	225 00
Campbell, Ben, ".....			75	225	225 00

Principal Cl'k
of House.

SEC. 3. *Be it further enacted*, That the Principal Clerk of the House be directed to remain a sufficient time after the adjournment of the General Assembly to file properly the papers of the House with the Secretary of State, and for the above services, and for copying the Journals of the House, he shall receive his *per diem*, six dollars per day, for eighty days, and the Comptroller shall issue his warrant for said sum to said Clerk when he shall have performed these duties.

SEC. 4. *Be it further enacted*, That the Principal Clerk shall remain a sufficient time to index, read proof and superintend the publication of the Journal of the House, and for such services the sum of \$500.00 is hereby appropriated, and the Comptroller shall issue his warrant for said amount when the Clerk shall have performed these duties and closed his business.

Stamps.

SEC. 5. *Be it further enacted*, That the Comptroller issue his warrant for the sum of four hundred and ninety-five dollars in favor of the Sergeant-at-arms of the House of Representatives, in accordance with House Resolution No. —, adopted —, 1883, to provide each member with five dollars' worth of postage stamps: *Provided*, that the Sergeant-at-arms deposit with the Comptroller a receipt of each member for the same.

Assistants.

SEC. 6. *Be it further enacted*, That the Comptroller shall issue his warrant on the Treasurer to Wm. B. Pickering for the sum of \$6.00, for one day's services as Clerk in the organization of the House; also to C. C. Plummer for \$24.00 for four days' services as Assistant Clerk in the organization of the House; also to B. J. Hadley for \$12.00 for three days' services as Assistant Sergeant-at-arms; and also to Maury Lewis for \$6.00 for three days' services as porter during the organization of the House.

Desks and
carpet.

SEC. 7. *Be it further enacted*, That the Comptroller shall issue his warrant on the Treasurer to John Sparrow for the sum of \$16.00 for eight days' services as porter to the House; and also to Benson, Brown and Riddle for the sum of \$727.13 for carpet for House of Representatives, in accordance with provisions of House Resolution No. —; Also to George Moore & Son for \$202.00 for desks furnished House of Representatives, in accordance with provisions of an Act, passed —, 1883.

SEC. 8. *Be it further enacted*, That the Comptroller shall issue his warrant on the Treasurer to Thomas J. Mason for the sum of \$272.00, for forty two days at \$5.00 per day, as Assessor of Railroad Taxes, and trav-

eling expenses; also to John Nail for the sum of \$252.00 for forty-two days' services as Assessor, etc., and expenses; also to J. R. Dillin for the sum of \$252.00 for forty-two days' services as Assessor, etc., and expenses; also to J. W. Dillin for the sum of \$168.00 for forty-two days as Clerk of said Board of Railroad Assessors, for services as Railroad Assessors, etc., for the year 1881 and 1882. Railroad Assessors.

SEC. 9. *Be it further enacted*, That the Comptroller issue his warrant on the Treasurer for the sum of (\$30.00) thirty dollars to Robert Ewing for transcript-furnished the committee appointed to investigate Torbett Issue; also to Marshall & Bruce for the sum of (\$100.75) one hundred dollars and seventy-five cents for ten copies of the Code furnished Chester county. R. Ewing.

SEC. 10. *Be it further enacted*, That the Comptroller issue his warrant on the Treasurer for the sum of \$18.00 for three days' services to Neill S. Brown, Jr., to pay him for serving as Clerk during the sickness and absence of E. B. Wade, Principal Clerk of this House; also to A. H. Robinson for (\$16.00) sixteen dollars for carriages, etc., to Hermitage for special committee to visit same; also to Sam Black for twenty-two and fifty one-hundredths dollars (22.50) for carriages to visit the Hermitage, by Committee on Public Grounds, etc.; also to Egbert Gooch \$210.00, seventy days, at \$3.00 per day, work on water-closets in Capitol; also to J. Dartel for firing at furnace in Capitol for \$75.00, for seventy-five days at \$1.00 per day; also \$6.00 for hacks to W. R. Cornelius for committee to attend the funeral of Judge J. C. Guild. Carriages and Capitol service

SEC. 11. *Be it further enacted*, That the Comptroller issue his warrant upon the Treasurer for the sum of twenty-five thousand five hundred and ninety-eight dollars and eight cents (\$25,598.08) for outstanding accounts for the Hospital for the Insane, for supplies from July, 1882, to December 19, 1882. Insane Hospital.

SEC. 12. *Be it further enacted*, That the Comptroller issue his warrant upon the Treasurer for the sum of fifteen thousand dollars (\$15,000.00) to the Superintendent of the Hospital for the Insane, for the purpose of repairing the heating apparatus of the Hospital, and other necessary repairs, or so much thereof as may be necessary.

SEC. 13. *Be it further enacted*, That the Comptroller issue his warrant upon the Treasurer for the sum of five thousand dollars (\$5,000.00) to C. W. Nance, Treasurer

School for
Blind.

of Board of Trustees, for the purpose of fixing up the colored School for the Blind, furnishing chapel, for additional heating apparatus, and other necessary improvements, or so much thereof as may be necessary.

Financial
Examiners.

SEC. 14. *Be it further enacted*, That the Comptroller issue his warrant on the Treasurer to Isaac Litton for (\$460.00) four hundred and sixty dollars for work in examining books and vouchers in treasury office; also to J. M. Elliston for \$60.00 for examining books and vouchers in Comptroller's office for the joint investigating committee of office of Comptroller and Treasurer; also for *per diem* of members said committee during recess of General Assembly, to Josiah Patterson for \$12.00 three days' attendance, to F. R. Burrus for \$24.00 six days' attendance, to W. F. Ballentine for \$52.00 for thirteen days' attendance, to W. A. Miliken for \$52.00 for thirteen days' attendance.

Expenses to
Knoxville.

SEC. 15. *Be it further enacted*, That the Comptroller issue his warrant on the Treasurer for the sum of \$10.00 each, to John W. Steele, Jesse Norment, E. W. Adkins, A. A. Caldwell, H. M. Sherwood, E. Edmundson, J. H. McDowell, D. B. Thomas, W. P. Morris, C. A. Miller, Ernest Pillow, J. P. Rogers, N. Gregg, W. B. Bachman, J. H. White, P. T. Glass, J. L. Smith, W. B. Stephens, A. A. Swope and E. J. Wendel, for expenses in visiting State institutions at Knoxville; also to W. B. Stephens for \$15.00 for railroad fare to Knoxville and return.

S. D. Morgan.

SEC. 16. *Be it further enacted*, That the Comptroller issue his warrant on the Treasurer for \$225.00 to John P. Williams, Extr. of Sam. D. Morgan, in accordance House Joint Resolution No. 33 adopted March 19, 1881.

SEC. 17. *Be it further enacted*, That the Comptroller issue his warrant on the Treasurer for the payment of the interest due January 1, 1884, July 1, 1884, and January 1, 1885, on the bonds comprising the State debt proper that shall be funded under this Act, passed March 15, 1888, or so much thereof as may be necessary, said being H. B. No. 316.

Interest on
Railro'd bonds

SEC. 18. *Be it further enacted*, That the Comptroller issue his warrant on the Treasurer for the payment of the interest due January 1, 1884, July 1, 1884, and January 1, 1885, on the Bonds known as the Railroad debt that shall be funded under the Act passed March 15, 1883, or so much thereof as may be necessary, said act being H. B. 316.

SEC. 19. *Be it further enacted*, That the Comptroller issue his warrant on the Treasurer in favor of the widow ^{Mrs. Polk.} of Ex-President Polk for the interest upon the bonds of the State owned and held by her on the first day of January, 1877, not exceeding twenty nine in number.

SEC. 20. *Be it further enacted*, That the Comptroller issue his warrant on the Treasurer for following sums: ^{Removal of Penitentiary.}

To the Nashville <i>Banner</i> for publishing notice for proposals.....	\$ 24 00
To Memphis <i>Avalanche</i> for publishing notice for proposals	24 00
To Knoxville <i>Chronicle</i> for publishing notice for proposals.....	24 00
Traveling expenses of Wm. M. Randolph from Memphis to Nashville, three trips, and return	60 00
Traveling expenses of W. Y. Elliott from Murfreesboro to Nashville, three trips, and return.....	6 00
Traveling expenses of V. F. Gossett from Knoxville to Nashville, one trip, and return.....	21 30
Hack hire.....	10 00
Hotel bill of Wm. M. Randolph at Nashville	20 75
Hotel bill of W. Y. Elliott at Nashville.....	19 35
Hotel bill of V. F. Gossett at Nashville.....	9 75

for expense in regard to removal of the Penitentiary.

SEC. 21. *Be it further enacted*, That the Comptroller issue his warrant on the Treasurer for the payment of ^{Interest to educational institutions.} interest on bonds held by charitable, literary or educational institutions in the State, in accordance with the Act passed March 15, 1883, being House Bill No. 316, approved March 20, 1883.

SEC. 22. *Be it further enacted*, That the Comptroller issue his warrant on the Treasurer for \$1,000 for clerk ^{Clerk for Governor.} hire to the Governor during the next two years, on account of the additional labors imposed upon him by this session of the Legislature.

SEC. 23. The sum of seven thousand dollars is hereby appropriated, in addition to the twenty-three thousand dollars surplus remaining unexpended of the appropriation made for the years 1881 and 1882, for the use and benefit of the State School for the Blind ^{School for Blind.} at Nashville.

SEC. 24. *Be it further enacted*, That the Comptroller issue his warrant on the Treasurer for \$20,000 for the ^{Normal Schools.} Normal School, and \$6,600 for the Colored Normal School.

SEC. 25. *Be it further enacted*, That the Comptroller of the Treasury issue his warrant to each member and officer of the Senate for the sum severally due as per the following schedule :

NAMES OF SENATORS.	No. Miles.	Mileage.	No. Days.	Per Diem.	Total.
Adkins, E. W.....	526	84 16 75	\$300	\$384 16	
Agee, J. H.....	630	100 80 75	300	400 80	
Bibb, V. F.....	88	14 08 75	300	314 08	
Blackmore, J. W.....	50	8 00 73	292	300 00	
Burns, M.....			75	300 00	
Carter, John G.....	382	61 12 72	288	349 12	
Champion, S. A.....	270	43 20 75	300	343 20	
Colquitt, H. M.....	250	40 00 75	300	340 00	
Cox, R. A.....	380	60 80 26	104	164 80	
Cooper, J. S.....	336	53 76 75	300	353 76	
Daniel, Wm. M.....	124	19 84 75	300	319 84	
Dawson, W. H.....	494	79 04 75	300	379 04	
Dodd, T. L.....			75	300 00	
Edmundson, E.....	160	25 60 75	300	325 60	
Galloway, J. S.....	464	74 24 75	300	374 24	
Greene, William.....	690	110 40 75	300	410 40	
Keith, John Y.....	334	53 44 75	300	353 44	
McCullough, D. S.....	112	17 92 75	300	317 92	
Norment, Jesse.....	380	60 80 75	300	360 80	
Nunn, J. A.....	428	68 48 75	300	368 48	
Patterson, E. D.....	380	60 80 64	256	316 80	
Porter, D. T.....	464	74 24 75	300	374 24	
Ralston, H. W.....	274	43 84 75	300	343 84	
Sherrod, H. R.....	540	86 40 75	300	386 40	
Sherwood, H. M.....	610	97 60 75	300	397 60	
Simmerly, John M.....	765	122 40 75	300	422 40	
Smallman, M. D.....	210	33 60 75	300	333 60	
Steele, John W.....	100	16 00 75	300	316 00	
Swafford, T. J. R.....	260	41 60 75	300	341 60	
Thompson, R. E.....	60	9 60 75	300	309 60	
Watkins, B. B.....	400	64 00 75	300	364 00	
Williamson, John T.....	92	14 72 75	300	314 72	
Wilson, Jas. P.....	214	34 24 75	300	334 24	

OFFICERS.

Alexander, B. F., Sp'k'r.	78	12	48	75	450	462	48
Long, T. C., P. Clerk.....				75	450	450	00
Harris, Jas., A. A. C.....				75	450	450	00
McCarver, E. M., Serg't.				74	296	296	00
Williams, Robt., M. A. S.				74	296	296	00
Telford, Miss Joe, Eng. C.				74	444	444	00
Terry, John, Porter.....				75	225	225	00
Lillard, Albert, A. P.....				68	204	204	00

SEC. 26. *Be it further enacted*, That the principal and Assistant Clerks of the Senate be directed to remain a sufficient number of days not exceeding forty days each, after the adjournment of the General Assembly, to file ^{Clerks of Senate.} properly the papers of the Senate with the Secretary of State, and to copy the Journal of the Senate for publication, for which service they shall be allowed their usual *per diem* (\$6 00), and for said amounts the Comptroller shall issue his warrants to said Clerks when they shall have performed these duties.

SEC. 27. *Be it further enacted*, That as soon as the Journal is copied, the Principal Clerk shall remain a sufficient time to index and publish the same, for which ^{Indexing Journal.} service he shall be allowed \$500, and the Comptroller shall issue his warrant for said amount to the Clerk when he shall have performed these duties.

SEC. 28. *Be it further enacted*, That the Comptroller shall issue his warrant on the Treasurer to S. E. Cunningham for the sum of \$6 00 for one day's service as Assistant Clerk in the organization of the Senate.

SEC. 29. *Be it further enacted*, That the Comptroller issue his warrant upon the Treasurer in favor of James A. Harris for the sum of \$6 00, for one day's service as Sergeant and Assistant Sergeant during the organization of the Senate.

SEC. 30. *Be it further enacted*, That the Comptroller issue his warrant upon the Treasurer for the sum of ^{Mrs. Cook.} \$12 00 in favor of Mrs. E. G. Cook, for two day's service as Engrossing Clerk during the organization of the Senate.

SEC. 31. *Be it further enacted*, That the Comptroller issue his warrant upon the Treasurer for the sum of ^{Postage.} (\$135 00) one hundred and thirty-five dollars in favor of the Sergeant-at-Arms of the Senate, to provide each member of the Senate with \$5 00 worth of postage stamps, as per Senate Resolution No. —.

Heating and
cooling.

SEC. 32. *Be it further enacted*, That the Comptroller issue his warrant upon the Treasury for the sum of (\$141 25) one hundred and forty-one dollars and twenty-five cents, in favor of Hayden March, Superintendent of the Capitol, under the following account:

To firing furnace seventy five days.....	\$ 75 00
To ice for the Senate and House.....	25 00
To ice-filter and cooler for the House.....	20 00
To one chair for the Senate Engrossing Clerk..	6 00
To 2½ dozen towels, Senate and House.....	4 00
To washing towels during session House.....	11 25

Total..... \$141 25

C. D. Elliott.

SEC. 33. *Be it further enacted*, That the Comptroller issue his warrant for the sum of (100.00) one hundred dollars in favor of Rev. C. D. Elliott for services as Chaplain during the session.

SEC. 34. *Be it further enacted*, That the Comptroller issue his warrant to John Terry, Porter of Senate, for the sum of \$3.70 for washing towels for the Senate.

R. M. Williams.

SEC. 35. *Be it further enacted*, That the Comptroller issue his warrant for the sum of (52.00) fifty-two dollars in favor of Robert M. Williams, Assistant Sergeant for thirteen days' attendance upon the committee to settle with Comptroller and Treasurer.

Porters.

SEC. 36. *Be it further enacted*, That the Comptroller issue his warrants for the sum of (21.00) twenty-one dollars to John Terry, Porter, and also (21.00) twenty-one dollars to Albert Lillard, assistant Porter, for seven days each during the recess.

Committee.

SEC. 37. *Be it further enacted*. That the Comptroller issue his warrant, for the sum of (12.00) twelve dollars each to Senators V. F. Bibb, D. T. Porter and M. D. Smallman, for three days' service each on committee during recess.

Hunt interest.

SEC. 38. *Be it further enacted*, That the Comptroller issue his warrants to the Trustees of Dickson and Humphreys counties for the sum of four hundred and fifty-one and sixteen one-hundredths dollars, interest on the Spencer T. Hunt fund for two years, (said fund being (8,883.30) five per cent. bonds,) said warrants to be issued semi-annually during 1883 and 1884.

W. G. Pride.

SEC. 39. *Be it further enacted*, That the Comptroller issue his warrant for the sum of (35.00) thirty-five dollars to W. G. Pride for his expenses to Texas to receive and return M. T. Polk after his arrest.

SEC. 40. *Be it further enacted*, That the Comptroller issue his warrant to the World Publishing Company, of Nashville, for the sum of (20.00) twenty dollars for advertising work on Capitol Building. ^{World advertisement.}

SEC. 41. *Be it further enacted*, That the Comptroller issue his warrant to Miss Joe Telford for the sum of (10.00) ten dollars for clerk hire on Engrossing Bills. ^{Miss Telford.}

SEC. 42. *Be it further enacted*, That the Comptroller draw his warrant on the Treasurer for \$110.00 in favor of the Clerk of the Senate, in accordance with Senate Resolutions Nos. 11 and 16 directing the Clerk to purchase new desk and safe. ^{Safe.}

SEC. 43. *Be it further enacted*, That the Comptroller issue his warrant to John Terry for the sum of \$6.00 for extra services during the first six days of the session. ^{Railroad Commissioners.}

SEC. 44. *Be it further enacted*, That the Comptroller issue his warrant for the sum of two thousand dollars each, annually, to the Railroad Commissioners as salary.

SEC. 45. *Be it further enacted*, That the Comptroller issue his warrant to the Superintendent of the Capitol for the sum of five hundred dollars, to be expended by him in repairs upon the Capitol, and also for three hundred dollars for the improvement of water closets and sewers. ^{Repairs on Capitol.}

SEC. 46. *Be it further enacted*, That the Comptroller issue his warrant for the sum of twenty-two and thirty one-hundredths dollars for advertising for bids to repair Capitol building.

Passed March 30, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 30, 1883.

WM. B. BATE,

Governor.

RESOLUTIONS.

SENATE JOINT RESOLUTIONS.

NUMBER I.

Resolved by the General Assembly of the State of Tennessee, That a committee of three be appointed by the Senate, and three by the House, to communicate with the Governor and inform him of the organization of the two Houses, and our readiness to receive any communication that he may desire to make.

Adopted January 4, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved January 6, 1883.

ALVIN HAWKINS,

Governor.

NUMBER II.

Resolved, That the Senate meet the House of Representatives in the hall of the latter on the 15th day of January, 1883, at 11 o'clock A. M., for the purpose of electing a State Librarian.

Adopted January 4, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved January 8, 1883.

ALVIN HAWKINS,

Governor.

NUMBER III.

Resolved, That a committee of two on the part of the Senate, and three on the part of the House, be appointed to prepare joint rules for the government of the two houses in convention.

Adopted January 4, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved January 8, 1883.

ALVIN HAWKINS,

Governor.

NUMBER IV.

Resolved by the General Assembly of the State of Tennessee, That the Comptroller be, and he is hereby instructed not to issue his warrant or warrants upon the Treasurer, authorizing or directing the payment of the interest now due upon the bonded indebtedness of the State of Tennessee, including the bonds of the State issued under and by virtue of an Act of the General Assembly of the State of Tennessee, entitled "An Act to compromise and fund the bonded indebtedness of the State of Tennessee," passed on the 19th day of May, 1882, and approved on the 20th day of May, 1882, except upon bonds held by educational and charitable institutions on the 1st day of January, 1882, and the twenty-nine bonds held by the widow of James K. Polk. And the Treasurer is hereby instructed not to pay out any moneys in his hands upon any such warrant or warrants, which may have been heretofore, or which

might be hereafter issued by the Comptroller, until otherwise ordered by the General Assembly.

Adopted January 4, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Adopted by the Senate, the objections by the Governor notwithstanding.

T. C. LONG,

Principal Clerk

Concurred by the House, the objections by the Governor to the contrary notwithstanding.

ETH. B. WADE,

Principal Clerk, House of Representatives.

NUMBER V.

Be it resolved by the Senate, the House of Representatives concurring, That five hundred copies of the Governor's message to this session be printed for the use of the members of the Senate, and one thousand copies for the use of the members of the House of Representatives.

Adopted January 4, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved January 8, 1883.

ALVIN HAWKINS,

Governor.

NUMBER VI.

Be it resolved by the General Assembly of the State of Tennessee, That on Tuesday the sixteenth day of January, 1883, this General Assembly will, in separate Houses, in pursuance of an Act of Congress of July 25, 1866, for the purpose of electing a Senator from the State of Tennessee to the Senate of the United States, for the term beginning on the fourth day of March, 1883, proceed openly by a *viva voce* vote of each member present, to name a person for the position of Senator in Congress from this State, for the term beginning on the said fourth day of March, 1883.

Be it further resolved, That on Wednesday the seventeenth day of January, 1883, at 12 o'clock, M., the Senate will meet the House of Representatives in the Hall of the House of Representatives in joint convention for the purpose of comparing the vote cast, for said position in the Senate of the United States, in each House on the preceding day, and to declare the result thereof; and in case it be then ascertained that no election was made by the vote of the two Houses in separate session for said Senatorial position; that then the joint convention of the two Houses proceed to choose, by a *viva voce* vote of each member present, a person for the position and term aforesaid.

Be it further resolved, That in case there be no election, on the Wednesday above named, for said Senatorial term, then said joint convention shall meet at 12 o'clock, M., in the same place on each succeeding day during the current session of the Legislature, and in the order above named take at least one ballot for said Senatorial position and term, until an election has been made for the same.

Adopted January 4, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved January 8, 1883.

ALVIN HAWKINS,

Governor.

NUMBER VII.

Resolved by the General Assembly of the State of Tennessee, That the Senate meet the House in convention on Monday, the 8th inst., at 12 o'clock m., for the purpose of comparing the vote for Governor, and announcing the same.

Adopted January 4, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved January 6, 1883.

ALVIN HAWKINS,
Governor.

NUMBER VIII.

WHEREAS, The Senate has reason to believe M. T. Polk, the present Treasurer, is in default for about \$400,000; and,

WHEREAS, The bond given by said officer is not sufficient in amount to secure said deficit; therefore

Be it resolved by the Senate and House of Representatives, That the Attorney-General of the State be and he is hereby instructed to attach instantler all available assets belonging to said M. T. Polk, provided that sufficient grounds exist, to the end that the same may be held for the satisfaction of said deficit.

Adopted January 5, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved January 8, 1883.

ALVIN HAWKINS,
Governor.

NUMBER IX.

Be it resolved by the General Assembly of the State of Tennessee, That the joint select committee, appointed under resolution of the present General Assembly to settle the accounts of the Comptroller and Treasurer, at once (take charge of the Treasurer's office) and proceed with the investigation of the same. And that they notify at once all State Depositories and Banks, holding funds of the State, not to pay out any funds of the State they may hold upon any order, check or warrant, signed or purporting to be signed by the Treasurer of the State, until otherwise ordered; that the committee is instructed to take the necessary legal steps immediately to secure the person of the State Treasurer, M. T. Polk, it having reasons to believe that he is a defaulter.

Adopted January 5, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved January 5, 1883.

ALVIN HAWKINS,
Governor.

NUMBER X.

Resolved, That 1,500 copies of the report of the Superintendent and Trustees of the Insane Asylum be printed for the use of the Senate, House of Representatives and the Superintendent of the Asylum.

Adopted January 6, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved January 11, 1883.

ALVIN HAWKINS,
Governor.

NUMBER XI.

Resolved by the General Assembly of the State of Tennessee, That a select committee of (3) three on the part of the Senate and four on the part of the House, be appointed to investigate the office of the Bureau of Agriculture, Statistics and Mines, and ascertain the manner in which the annual appropriation of eight thousand dollars has been expended; and also to investigate the practical workings of said office, and the resultant benefits to the agricultural interest of the State, and all other matters pertaining to said office, and report by bill or otherwise at as early a day as practicable.

Adopted January 6, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved January 11, 1883.

ALVIN HAWKINS,

Governor.

NUMBER XII.

Resolved by the Senate, the House concurring, That a joint committee, composed of two from the Senate and three from the House, be appointed to wait upon the Governor elect, and ascertain when it will suit his convenience and pleasure to be inaugurated.

Adopted January 8, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved January 11, 1883.

ALVIN HAWKINS,

Governor.

NUMBER XIII.

Be it resolved by the General Assembly of the State of Tennessee, That the Senators and members of the House of Representatives of the Forty-Third General Assembly of the State of Tennessee, meet in convention, in the Hall of Representatives, on Thursday the 11th day of January, 1883, at 2 o'clock P. M., and proceed to the election of a State Treasurer and Comptroller, and that the election of said officers be held in the order named herein.

Adopted January 8, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved January 11, 1883.

ALVIN HAWKINS,

Governor.

NUMBER XIV.

WHEREAS, the Treasurer of the State of Tennessee is a defaulter for the sum of about \$400,000, and has been arrested at San Antonio, Texas, and is now in custody of the police authorities, and in order to compensate said police, and to secure the safe delivery of the said M. T. Polk, State Treasurer,

Be it resolved by the General Assembly of the State of Tennessee, That the Governor of said State at once make his requisition upon the Governor of the State of Texas for the body of the said M. T. Polk, and that he be authorized to offer such reward as he may think necessary or proper in order to secure the said arrest and delivery of the said M. T. Polk to the authorities of Ten-

nessee, but said reward shall not exceed five thousand dollars.

Adopted January 8, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved January 23, 1883.

WM. B. BATE,
Governor.

NUMBER XV.

Resolved by the Senate, the House concurring, That a joint committee, of two (2) upon the part of the Senate and three upon the part of the House, be appointed upon inaugural ceremonies and arrangements.

Adopted January 8, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved January 11, 1883.

ALVIN HAWKINS,
Governor.

NUMBER XVI.

Be it resolved by the General Assembly of the State of Tennessee, That the Senate meet the House of Representatives in the hall of the latter at 12 o'clock M., on Monday, January 15, 1883, for the purpose of inaugurating the Governor elect.

Adopted January 10, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

The Governor having failed to return the foregoing resolution within five days, it has, in accordance with a provision of the Constitution, become a joint resolution of this General Assembly without his signature.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

NUMBER XVII.

Resolved by the Forty-third General Assembly of the State of Tennessee, That the partial report of the joint select committee to examine into the accounts of Treasurer and Comptroller, so far as the same is relevant to the Treasurer's office and accounts, be received, and the same is hereby adopted.

Resolved further, That the special recommendations made in said partial report as to requesting the Attorney-General of the State to take necessary legal steps to recover such funds, and to hold certain banks therein named responsible for deposits and false statements of their accounts with the Treasurer, if in his opinion such

action be proper, be adopted, and such other grants of power be conferred on said committee as they ask for in said report.

Resolved further, That the Attorney-General be and he is hereby authorized and instructed to take such legal steps as in his judgment may be necessary to subject the interest of M. T. Polk in the silver mine in Mexico, in the iron lands in Alabama, and the property in North Carolina, mentioned in said report, to the satisfaction of the liability of said M. T. Polk to the State, as well as to recover any other funds or property misappropriated by the said M. T. Polk.

Adopted January 11, 1883.

E. EDMUNDSON,

Speaker pro tem. of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved January 23, 1883.

WM. B. BATE,

Governor.

NUMBER XVIII.

Be it resolved by the General Assembly of the State of Tennessee, That a recess of this General Assembly be taken from the 23d of January, 1883, at 2 o'clock P. M., until February 6, 1883, at 2 o'clock, P. M. .

Passed January 22, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved January 23, 1883.

WM. B. BATE,

Governor.

NUMBER XIX.

Resolved by the General Assembly of the State of Tennessee, That the following named public documents be printed for the uses below stated :

Report of the Comptroller—1,500 for the House, 500 copies for the Senate, 500 copies for Comptroller's office, and 500 copies for the Appendix.

Report of the Treasurer—500 copies for the House, 250 copies for the Senate, and 500 for the Appendix.

Report of Blind Asylum—200 copies for the House, 100 for the Senate, 200 for the Institution, and 500 for the Appendix.

Report of the Deaf and Dumb Asylum—250 copies for the House, 250 copies for the Senate, 500 copies for the Institution, and 500 for the Appendix.

Report of the Secretary of State—250 copies for the House, 250 copies for the Senate, and 500 copies for the Appendix.

Report of the Fish Commission—1,000 copies for the House, and 500 copies for the Senate.

Report of Penitentiary Inspectors—500 copies for the House, 250 copies for the Senate, 500 for the Appendix, and 250 for the Superintendent of the Penitentiary.

Report of the Superintendent of Public Instruction—1,500 copies for the House, 500 for the Senate, 500 for the Superintendent, and 500 for the Appendix.

Report of the Funding Board—500 for the House, 250 for the Senate, and 500 for the Appendix.

Adopted January 23, 1883.

B. F. ALEXANDER.

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved February 10, 1883.

WM. B. BATE,

Governor.

NUMBER XX.

Resolved by the General Assembly of the State of Tennessee, That a committee of five, two from the Senate and three from the House of Representatives, be appointed, by the respective Speakers of the two Houses, to ascertain as far as possible all the facts relative to the new issue, known as the Torbett issue, the amount outstanding, when and by whom issued, and every fact that will enable the General Assembly to legislate advisedly on the matter.

Adopted February 6, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved February 10, 1883.

WM. B. BATE,
Governor.

NUMBER XXI.

WHEREAS, The present General Assembly of the State of Tennessee has had presented to it communications relative to a settlement of the bonded indebtedness of the State by this General Assembly, from certain persons purporting to be the holders of a portion of said bonds, and

WHEREAS, It is desired at all times to be respectful and courteous to the holders of our said securities; now, in order that the holders of said bonds may know and understand the exact disposition to be made of the question by this General Assembly at its present session, therefore

Be it resolved by the General Assembly of the State of Tennessee; First, That so soon as practicable a bill be passed, tendering to our creditors a settlement of the bonds of the State, upon the terms set forth in the plat-

form of the Democratic party, adopted June 20th, 1882. Second, That no proposition, looking to a higher rate of settlement of either principal or interest, will be entertained, than that proposed in said platform. Third, That said proposed settlement is alike fair to the creditors and honorable to the State, and no higher rate of settlement should ever be entertained by the people or their representatives. Fourth, That we recognize the doctrine that the sovereignty of the State resides in its people, who have the right at all times to instruct their Representatives as to their will ; and when the people have spoken no man or set of men can with decency or propriety set in judgment upon their action. Fifth, That it is the sense of the members of this General Assembly that no better settlement for the bondholders of this State will ever be obtained with the the consent of its people fairly expressed. And no settlement made, can or ought to be permanent, which does not meet their approbation.

Adopted February 8, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved February 14, 1883.

WM. B. BATE,

Governor.

NUMBER XXII.

Resolved by the General Assembly of the State of Tennessee, That the Investigating Committee of the Treasurer's and Comptroller's offices be and they are hereby directed, after the incoming Comptroller has executed his receipt to the incumbent Comptroller for the following securities, to burn the same, to-wit: City Bank bills cancelled, \$675.00; 200 brown letter E. N. S. F. bonds, not signed, Nos. 1 to 200, inclusive; 343 green F. N. S. F. bonds, not signed, Nos. 6,658 to 7,000, inclusive; denominational warrants, 900 bills each of

ones, twos, fives and ten dollars, not signed ; 2,589 bills, each of twenty and fifty dollars, not signed ; (485 coupons of thirty dollars each, see copy of record, *State vs. W. E. Wade*, be cancelled;) 146 new compromise bonds, five hundred dollars, signed by the Governor and Secretary of State, Nos. 1,855 to 2,000, inclusive ; 500 same, five hundred dollars, not signed, from No. 2,001 to 2,500, inclusive ; fifteen same, one thousand dollars, signed by the Governor and Secretary of State, from 7,285 to 7,299 ; a thousand and fifty-one same, thousand dollars, not signed, from 7,300 to 8,350, inclusive.

Adopted February 8, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved February 15, 1883.

WM. B. BATE,

Governor.

NUMBER XXIII.

Be it resolved by the Forty-third General Assembly of the State of Tennessee, That the joint committee heretofore appointed to settle with the Funding Boards provided for under the "100-3" and "60-6" Acts, be and they are hereby authorized and empowered to send for persons and papers, and to examine persons under oath, and to take depositions in their investigations, and to this end the chairman of said committee is authorized to administer oaths to such persons as may be brought before the committee as witnesses.

Be it further resolved, That said committee is authorized to employ an expert accountant to assist in making their report, if deemed necessary in the opinion of said committee.

Be it further resolved, That said committee is authorized to make reports to the General Assembly from time to time, touching such matters as said committee may

deem of immediate importance to the General Assembly.
Adopted February 9, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved February 14, 1883.

WM. B. BATE,
Governor.

NUMBER XXIV.

WHEREAS, it has been made known to the public by the statement of M. T. Polk, Treasurer of the State, and reports of committees, that the said Polk took money out of the treasury of the State without authority of law, and paid it to lawyers for professional services rendered in the famous 100-3 case; therefore,

Be it resolved by the General Assembly of the State of Tennessee, That the Attorney-General for State is hereby directed and instructed to proceed to collect from said lawyers, by legal process if necessary, the moneys paid to them by the said Polk as fees in said case.

That the Attorney also be directed to bring suit for all money illegally paid out by the State Treasurer, M. T. Polk, during his terms of office, against the parties receiving the same, provided the Attorney-General shall be of the opinion that an action can be sustained against said parties.

Adopted February 10, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved February 16, 1883.

WM. B. BATE,
Governor.

NUMBER XXV.

WHEREAS, The General Assembly of Tennessee, on the 24th of April, 1882, passed an Act directing the Governor to appoint three commissioners, one from each grand division of the State, to consider the expediency and ascertain the cost of removing the Penitentiary from the limits of the city of Nashville, and make report to this General Assembly, and

WHEREAS, Said commissioners were appointed in compliance with the provisions of said Act, and did report their actions in the premises to the Governor on December 29, 1882, to which report reference is made by Governor Hawkins in his message to this General Assembly, and the special attention of the General Assembly invited thereto; and

WHEREAS, The report of said commissioners has never been printed; therefore

Be it resolved by the General Assembly of the State of Tennessee, That 250 copies of the report of said commissioners be printed for distribution.

Adopted February 17, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved February 21, 1883.

WM B. BATE,

Governor.

NUMBER XXVI.

WHEREAS, the State of Tennessee is the owner of a farm near the city of Nashville, known as the "Hermitage;" and

WHEREAS, it is the opinion of many of the tax payers of the State that the purchase of the Hermitage is an in-

vestment from which the State has never derived a sufficient amount in the way of rents to pay the interest on the bonds issued for its purchase, much less to keep the farm buildings, etc., in repair; therefore,

Be it resolved by the General Assembly of the State of Tennessee, That a joint committee, consisting of three members from the Senate and five from the House of Representatives, be appointed to visit the "Hermitage," and ascertain and report:

1st. Who is now in possession of the "Hermitage," how long they have been in possession, and the nature of their contract.

2nd. Who pays the State and county taxes on said farm, and what rents are paid to the State, if any.

3rd. Whether the farm is well tended, and the general condition of its buildings and other improvements, and any and all other items of information that would tend to give the General Assembly light in regard to the past management and control of said farm.

Adopted February 19, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved February 21, 1883.

WM. B. BATE,

Governor.

NUMBER XXVII.

WHEREAS, The importance to the whole country of continuing the work of the improvement of the Mississippi River in the interest of cheap transportation, is a matter of National interest, therefore

Be it resolved by the General Assembly of the State of Tennessee, That our Senators be instructed, and our Representatives requested, to use their influence in the Congress of the United States to sustain the plans of the Mississippi River Commission, and, further, that they use

their best endeavors to secure the necessary appropriations to carry out the recommendations of the Commission for the next fiscal year.

Be it further resolved, That the Secretary of State furnish copies of this Resolution to the Senators and Representatives from Tennessee in Congress.

Adopted February 19, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved February 21, 1883.

WM. B. BATE,

Governor.

NUMBER XXVIII.

Be it resolved by the General Assembly of the State of Tennessee, That the Senate meet the House of Representatives in the hall of the latter, on Thursday, February 22, at 11 o'clock A. M., for the purpose of electing Registers of the Land Office for the several districts, when the terms of office have expired.

Adopted February 19, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD.

Speaker of the House of Representatives.

Approved February 21, 1883.

WM. B. BATE,

Governor.

NUMBER XXIX.

Resolved by the Senate, the House concurring, That the two Houses of the General Assembly meet in convention in the Hall of the House of Representatives at 11 o'clock Thursday the 22d inst. for the purpose of electing an Entry Taker and Register for the Ocoee Land District of Tennessee for and during the time prescribed by law.

Adopted February 19, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved February 21, 1883.

WM. B. BATE,
Governor.

NUMBER XXX.

Be it resolved by the Senate and House of Representatives, That the sum of twenty-two dollars be paid W. F. Overstreet for closing the leaks on the roof of the Capitol building, and said amount be incorporated in the general appropriation bill.

Adopted February 27, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 2, 1883.

WM. B. BATE,
Governor.

NUMBER XXXI.

WHEREAS, The State has never published or purchased any copies of Vols. 1, 2 and 3 of Baxter's Report's of the Supreme Court for the use of the courts, or for the exchange with Libraries of other States, thus leaving the series incomplete;

Be it resolved by the General Assembly of the State of Tennessee, That the publisher is hereby instructed to furnish the State six hundred copies each, of said 1st, 2d and 3d Baxter's Reports: *Provided,* he will accept, as full compensation, an equal number of such volumes of the Reports as are on hand, the State having a surplus, of equal value, volume for volume.

Adopted March 3, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 14, 1883.

WM. B. BATE,
Governor.

NUMBER XXXII.

Resolved by the General Assembly of the State of Tennessee, That the Treasurer be and he is hereby directed and instructed to file with the Receiver in the case of State of Tennessee and S. Watson, Trustee, *vs.* Bank of Tennessee and others, in the Chancery Court at Nashville, for *pro rata* payment, all the notes of the Bank of Tennessee held by him as Treasurer of the State of Ten-

nessee, or which may hereafter be paid into his office, or received by him in his official capacity.

Adopted March 8, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives

Approved March 12, 1883.

WM. B. BATE,

Governor.

NUMBER XXXIII.

Be it resolved by the General Assembly of the State of Tennessee, That the Superintendent of the Capitol be and he is hereby instructed to furnish the Burns Artillery a place in the basement of the Capitol to store their arms and equipments.

Adopted March 8, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 12, 1883.

WM. B. BATE,

Governor.

NUMBER XXXIV.

WHEREAS, An Act was passed on the first day of July, 1870, directing the officers of the State not to receive for any purpose the 100 bonds or any of them issued to the Mineral Home Railroad Company, and

WHEREAS, On the 8th day of August thereafter, and while said Act was in free force, the East Tennessee and Virginia Railroad Company paid, in violation of said Act, thirty-six bonds to the State, amounting to thirty-six thousand dollars, and the Knoxville and Kentucky Railroad Company paid to the State one of said bonds amounting to one thousand dollars, and said railroads were credited with the full amount of said bonds, principal and interest ; therefore

Be it resolved by the General Assembly of the State of Tennessee, That the Attorney-General for the State be, and he is directed to bring suits against said railroads, and the officers upon their bonds who received them in violation of the law, if in his judgment it is to the interest of the State to do so, for the recovery of the amount of said bonds so improperly received, by authorizing the Attorney General to bring all suits that he thinks necessary or proper, either against citizens or corporations.

Be it further resolved, That the Attorney General of the State in like manner bring suit against the East Tennessee, Virginia and Georgia Railroad Company for the sum of \$743,000, amount of bonds illegally issued to the Tennessee and Pacific Railroad Company, being bonds issued by Governor Senter to said Tennessee and Pacific Railroad Company at the rate of five thousand dollars per mile, for the distance between Nashville, Tenn., and Knoxville, Tenn., and by said East Tennessee, Virginia and Georgia Railroad Company knowingly and illegally paid over to the officials of the State under the Acts of 1869 and 1870, in discharge of its indebtedness to the State, with knowledge of the illegality of the issue of said bonds, and with the fraudulent purpose of evading its liability to the State.

Adopted March 26, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 28, 1883.

WM. B. BATE, *Governor.*

NUMBER XXXV.

Be it resolved by the General Assembly of Tennessee,
 That M. T. Polk, the late Treasurer, may pay into the treasury of the State, as proposed in the proposal submitted through the joint select committee to confer with the attorneys of said Polk, the sum of \$100,000 of the genuine issues of the Bank of Tennessee, to be paid within thirty days, and \$75,000 of the internal improvement bonds of the State, \$38,750 accumulated interest thereon, which said bonds and interest shall be received, as \$75,000 to be paid within the same time, and \$75,000 of the genuine notes issued by the Bank of Tennessee, to be paid within ninety days from this date, which said sums shall be a credit upon the deficit of said Polk for the sum of \$250,000, which said sum, when paid, shall release the sureties on the official bond of said Polk, and the assets attached in the hands of John W. Childress, and when these sums shall be paid, and the balance on the deficit of said Polk shall have been paid in current money or the genuine issue of the Bank of Tennessee, the same shall be in satisfaction in full of the deficit and default of said Polk; *Provided*, that it is not intended, nor shall this resolution be construed to in any manner affect or interfere with the prosecution of said Polk; *Provided*, the payments which are to be made in the new issue of the Bank of Tennessee shall not be made in bills commonly denominated as "post notes," or in bills or notes of any denomination less than five dollars.

Adopted March 29, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 30, 1883.

WM. B. BATE,

Governor.

NUMBER XXXVI.

WHEREAS, the Senate, by its non-concurrence, reduced the appropriation of the sum of twenty-four hundred dollars allowed for a clerk for the Governor for the ensuing two years, and only \$1,000 was therefore appropriated; now, in view of the fact that the additional duties placed by the laws of the present General Assembly on the Governor may require the expenditure of the amount of \$2,400; therefore,

Be it resolved by the General Assembly of Tennessee, That the Governor of Tennessee is empowered to employ the clerk at the sum of \$2,400, or so much thereof as may be necessary, the residue to be appropriated therefor at the ensuing term of the General Assembly.

Adopted March 30, 1883.

B. F. ALEXANDER,

Speaker of the Senate.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

Approved March 30, 1883.

WM. B. BATE,

Governor.

NUMBER XXXVII.

Be it resolved by the General Assembly of the State of Tennessee, That J. J. Vertrees and W. A. Milliken be and are hereby authorized, directed and empowered to revise, digest and codify all the general laws of the State which shall be in force forty days after the final adjournment of this session of the Forty-third General Assembly; and they are further authorized and empowered, when they have completed the said work, to have same published in one volume, if practicable, to be entitled "Code of Tennessee." This work will be prepared and arranged on the plan of the present Code,

with notes to each section containing citation of statutes from which same were taken, and all decisions of the Supreme Court construing same; the work to be printed on good, strong paper, from clear, distinct type, and substantially bound in law sheep. The work is to be prepared and published by the compilers at their own cost, and the State shall take such number of copies and at such time as the services of the State requires, to be paid for when so taken at (\$7 50) seven dollars and fifty cents per copy, to be paid for by the State as called for and delivered. If the said parties fail or decline to perform this work on these terms, the Governor is hereby authorized and empowered to appoint two other attorneys, qualified and competent to perform same, on these conditions, and said parties will make their report to the first session of the General Assembly after they shall have completed same.

Adopted March 29, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Disapproved March 30, 1883.

WM. B. BATE,

Governor.

Adopted by the Senate, the Governor's objections to the contrary notwithstanding.

T. C. LONG,

Clerk Senate.

Concurred in by the House, the Governor's objections to the contrary notwithstanding.

ETH. B. WADE,

Clerk House Representatives.

HOUSE JOINT RESOLUTIONS.

NUMBER I.

Be it resolved by the General Assembly of the State of Tennessee, That three members on the part of the Senate and five members from the House of Representatives, be appointed by the Speakers of the respective Houses, as a joint committee to examine into the accounts and business of the Comptroller and Treasurer of the State of Tennessee, and make a settlement of same; and, if deemed advisable by said committee, they are hereby authorized to employ an expert accountant to assist them in making said examination and settlement. Said committee is authorized to send for persons and papers and to examine witnesses on oath touching such settlement. It is especially authorized to summons before it any officer connected with any bank or banking corporation or institution in this State, where State funds have been deposited, and require them to produce before said committee all books of accounts showing the accounts of said bank or banking institution with the Treasurer of the State, and to examine said officers on oath as to same. This committee is authorized to extend this examination into the accounts of the Treasurer back to January, 1877, if deemed proper and advisable. This committee is also authorized to examine and report what will be a proper amount of bond to be required from the Comptroller and Treasurer for the ensuing two years.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved January 5, 1883.

ALVIN HAWKINS,

Governor.

NUMBER II.

WHEREAS, The General Assembly of the State of Tennessee is in possession of information that strongly indicates that a serious defalcation exists in the accounts of the Treasurer of the State; and

WHEREAS, If said information be correct, it is due the tax-payers of the State that they should know the amount of such defalcation, and all the facts relating thereto; be it therefore

Resolved by the General Assembly of the State of Tennessee, That the special committee already appointed to settle with the Treasurer and Comptroller, shall fully and thoroughly investigate and inquire into all the circumstances and facts relating thereto, and specially—

1st. As to the amount short in the accounts of the Treasurer of the State.

2nd. As to whether the said fund has been lost and squandered by speculation, used by said Treasurer, loaned to any person or persons by him, or in what manner the same has been taken from the Treasury of the State.

3d. As to whether said defalcation is of recent occurrence, or whether it is of longer standing.

4th. And if the same covers any considerable length of time, whether a knowledge of the true condition of the Treasury was covered up or concealed from the proper officers of the State, by the said Treasurer alone, or with the connivance and aid of any officer or officers of the State, or with the assistance of any other person or persons.

5th. As to whether any officer or officers of the State had any knowledge or information, either directly or indirectly, as to any speculation, misuse, or other improper disposition or appropriation of said fund, or any part of the same, by the said Treasurer, or any person having access to said fund, and if so, who such officer or officers, person or persons are, and what relation they sustain to the State, if any.

Resolved further, That said committee, when appointed, have full power to send for persons and papers, to compel their attendance and production, to compel witnesses to testify and give evidence, and to do and perform any and every thing necessary to a full, fair and perfect investigation of said defalcation.

Resolved further, That said committee report the result in full of their investigation, at as early a day as practicable, with such recommendations as they may deem proper to make.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved January 10, 1883.

ALVIN HAWKINS,
Governor

NUMBER III.

Resolved by the General Assembly of the State of Tennessee, That our Senators be instructed, and our Representatives in Congress be requested, to vote for a bill to pension Florida and Mexican soldiers.

That the Secretary of State is directed to furnish a copy of this resolution to our Senators and representatives in Congress.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved January 10, 1883.

ALVIN HAWKINS,
Governor.

NUMBER IV.

Be it resolved by the General Assembly of the State of Tennessee, That the Senate and House of Representatives meet in joint convention on Tuesday, January 16, 1883, at 2½ o'clock P. M., for the purpose of electing a State Librarian.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved.

WM. B. BATE,

Governor.

NUMBER V.

Be it resolved by the General Assembly of the State of Tennessee, That the Governor be, and he is hereby instructed to offer a reward of \$10,000 for the arrest and apprehension of Marsh. T. Polk, and his delivery to the proper authorities at Nashville. This amount to include the \$5,000 already appropriated; that is to say the total amount of reward not exceed \$10,000.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved January 11, 1883.

ALVIN HAWKINS;

Governor.

NUMBER VI.

Resolved by the General Assembly of the State of Tennessee, That a committee of three on the part of the House and two on the part of the Senate, to be appointed by their respective Speakers, to consult with a committee of the Monumental Association as to the importance and propriety of erecting the Confederate monument within the Capitol grounds.

Adopted January 13, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved February 16, 1883.

WM. B. BATE,
Governor.

NUMBER VII.

Resolution instructing our Representatives in Congress to vote for the repeal of tax on leaf tobacco in hands of producers.

Be it resolved by the General Assembly of the State of Tennessee, That the Senators be instructed and Congressmen requested, from this State, to vote for the repeal of tax on leaf tobacco in the hands of producers.

Be it further resolved, That the Secretary of State be required to furnish each Senator and Representative with a copy of this Resolution.

W. L. LEDGERWOOD,
Speaker the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate,

Approved January 18, 1883.

WM. B. BATE,
Governor:

NUMBER VIII.

Resolved by the General Assembly of the State of Tennessee, That a committee of nine upon the part of the House and six upon the part of the Senate, three from each grand division of the State, be appointed by the respective Speakers of the two houses, to investigate the manner of the passage and the constitutionality of an Act passed by the last General Assembly, at its second extra session, on the 26th day of April, 1882, entitled, "An Act to apportion the representatives of the State of Tennessee in the Congress of the United States," and report to this General Assembly at as early a time as may be convenient, whether the State is properly and constitutionally apportioned into Congressional districts, and whether any further legislation is necessary in that respect, and, if so, to report a proper bill on the subject.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved January 18, 1883.

WM. B. BATE,

Governor.

NUMBER IX.

WHEREAS, The newly elected Treasurer, Hon. Atha Thomas, has tendered his official bond in the penalty and conditioned as required by law, and the same has been regularly acknowledged before Thos. J. Freeman, one of the Judges of the Supreme Court, and approved by him, and the said Thomas has taken the oath prescribed by law and filed his said bond with the Secre-

tary of State, and is therefore now entitled to be inducted into the office of Treasurer of the State; therefore.

Be it resolved by the General Assembly of the State of Tennessee, That the investigating committee which has heretofore been placed in charge of the Treasury of the State, be and are hereby instructed to turn over the said office, with all its books, papers, moneys, and all other documents belonging to said office, now in their custody, to the said Atha Thomas, Treasurer and he will make his report at once to this General Assembly as to same, and said committee is relieved as to all further responsibility as to this part of their duty.

Passed January 19, 1883.

JAS. M. HEAD,

Speaker pro tem House of Representatives.

E. EDMUNDSON,

Speaker pro tem Senate

Approved January 23, 1883.

WM. B. BATE,

Governor.

NUMBER X.

Be it resolved by the General Assembly of the State of Tennessee, That three members from the House of Representatives and two members from the Senate be appointed by the Speakers of the respective houses as a joint special committee to make a settlement with the Funding Board created under the Act of the Forty-second General Assembly, chapter 123, and commonly known as the 100-3 Funding Bill; also, under the Act of the same General Assembly, chapter 4, of the third extra session, and passed May 19, 1882, and commonly known as the 60-6 Funding Bill. Said committee is author-

ized to examine and report as to all expenses claimed to have been incurred by said Funding Board, and give an itemized report as to the time same was incurred, and by whom and on what authority. Said committee will also examine and report what amount of old bonds of the State of Tennessee have been funded under said Act, and the specific description of same; and also what amount of new bonds have been issued thereunder, to whom and when; also, what amount of interest has been paid on said new bonds.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

E. EDMUNDSON,

Speaker pro tem. of the Senate.

Approved January 23, 1883.

WM. B. BATE,

Governor.

NUMBER XI.

Resolved by the General Assembly of the State of Tennessee, That the joint committee heretofore appointed to settle with the Comptroller and Treasurer, be and they are hereby authorized to sit for the purpose of performing the duties imposed on them during any recess which may be taken by the General Assembly.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved January 23, 1883.

WM. B. BATE,

Governor.

NUMBER XII.

Granting the use of the hall of the House of Representatives to the General Assembly of the Cumberland Presbyterian Church, in which to hold its sessions.

Be it resolved by the General Assembly of the State of Tennessee, That the use of the hall of the House of Representatives be granted to the General Assembly of the Cumberland Presbyterian Church in which to hold its sessions, beginning on the third Thursday in May, 1883, provided the Legislature is not then in session.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved January 23, 1883.

WM. B. BATE,

Governor.

NUMBER XIII.

Be it resolved by the General Assembly of the State of Tennessee, That fifteen hundred copies of the report of the Trustees of the University of Tennessee be printed—five hundred for the use of the House, two hundred for the use of the Senate and seven hundred and fifty for the use of the University.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved January 23, 1883.

WM. B. BATE,

Governor.

CHAPTER XIV.

Be it resolved by the General Assembly of the State of Tennessee, That the investigating committee heretofore appointed to settle with the State officers and investigate the accounts of the Treasurer and Comptroller since 1877, be and they are hereby authorized and instructed to extend their investigations into the conduct and management of each of said officers back to and including the year 1870, and, if in their judgment it is necessary or any good can come of it, power is hereby given to said committee to extend their investigation to May 5, 1865; and that said committee have full power to send for persons and papers and do and perform all things necessary to enable them to make a thorough and complete examination of all settlements heretofore made with either of said officers since the year 1870.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved February 7, 1883.

WM. B. BATE,

Governor.

NUMBER XV.

WHEREAS, it is a fact "that one of the great staples or this State, viz: leaf tobacco, together with the interests of all persons in any way connected with the same, whether as producers, sellers or buyers, is being seriously damaged by the action of certain European governments, viz: France, Spain, Italy and Austria, discriminating against said staple by making a government monopoly of the purchase and sale of the same within

their respective dominions," thereby cutting off all competition on over one hundred million pounds of leaf tobacco, required to supply the citizens of these several governments, for which there is no other market; and

WHEREAS, these four governments let to the lowest bidder the contracts to furnish their citizens with all the tobacco they use, thereby placing it in the power of two or three men, contractors, whose interest it is to purchase at the lowest figures attainable, to control the price of leaf tobacco on all the markets of this country, and through our markets (the original source of supply) to control the markets of the world; therefore,

Be it resolved by the General Assembly of the State of Tennessee, That the attention of our Senators and Representatives in Congress is respectfully called to the preamble and resolutions passed by the General Assembly of this State, and approved January 22, 1881, on the subject of Regie contracts and monopolies of leaf tobacco, on the part of the governments of France, Spain, Austria and Italy; and this General Assembly desires, if possible, to give additional emphasis and force to the same, and impress upon our Senators and Representatives the importance of prompt and persistent action upon their part to induce the Executive Department of the General Government to open negotiations with the aforementioned European governments, for the purpose of securing the abolition of the present Regie system for the purchase and sale of leaf tobacco within their dominions, that the markets of these four great governments may be "open markets," into which all persons who desire to do so may import, and thus protect this great staple, upon which depends the prosperity of many thousands of the citizens, not only of this State, but other States of the Union, who are now rapidly becoming hewers of wood and drawers of water for these huge government monopolies.

Resolved, That the Secretary of State be and he is hereby instructed to furnish each of our Senators and Representatives in Congress with a copy of this preamble and resolutions.

Be it further resolved, That the Secretary of State is also requested to forward, at as early a day as practicable, copies of the same to the Governors of the States of Virginia, North Carolina, Kentucky, Missouri, Indiana, Ohio, Pennsylvania, Maryland and Connecticut, with the request that they present the subject matter thereof to the Legislatures of their respective States for

their consideration, with the recommendation that they take such action as they may think appropriate, and as will best serve to secure the common relief of the citizens of the several States most largely interested therein.

Adopted February 9, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved February 12, 1883.

WM. B. BATE,

Governor.

NUMBER XVI.

Be it resolved by the General Assembly of the State of Tennessee, That a joint special committee, consisting of two on the part of House and one on the part of the Senate, be appointed to confer with Col. M. T. Polk's attorneys looking to a settlement of Col. Polk's indebtedness to the State, and report to this body at the earliest practicable moment.

2. That said committee shall confer with Attorney-General B. J. Lea and ask his co-operation with them in this settlement, and that no settlement made or contemplated by said committee shall be final until the same is submitted to and ratified by the General Assembly.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved February 10, 1883.

WM. B. BATE,

Governor.

NUMBER XVII.

Be it resolved by the General Assembly of the State of Tennessee, That Dr. Curry, agent for the Board of Trustees of the Peabody Fund, be requested to address the General Assembly in the Hall of Representatives at two and one-half o'clock P. M. to-day, Friday, February 9, 1883.

Resolved further, That the Senators are requested to meet the Representatives in the Hall of Representatives at said time.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved February 10, 1883.

WM. B. BATE,
Governor.

NUMBER XVIII.

Be it resolved by the General Assembly of the State of Tennessee, That the Comptroller be and he is hereby instructed and requested to prepare and furnish for each House, as early as practicable, an itemized estimate of necessary expenditures for the next two years.

Adopted February 12, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved February 14, 1883.

WM. B. BATE,
Governor.

NUMBER XIX.

WHEREAS, Great epidemics have lately prevailed in various parts of the South, and especially in the western part of Tennessee, which have caused great distress and loss of life to the people of that immediate part of the State, and damage to the business interest of the entire State, and

WHEREAS, A uniform system of quarantine and sanitary control is essential to the best interests of Tennessee and her people, to the end that the calamities of epidemics of yellow fever, etc., may be averted; and

WHEREAS, There is an attempt to abolish the National Board of Health, who through their instrumentality and control have done much to protect the people and interests of our State from such calamities as above mentioned;

Be it resolved by the General Assembly of the State of Tennessee, That our Senators be instructed, and Representatives in Congress be requested, to do all in their power to continue the National Board of Health, with such powers as may attain and accomplish the ends sought for in the creation of said Board.

Adopted February 13, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate

Approved February 16, 1883.

WM. B. BATE,

Governor.

NUMBER XX.

Be it resolved by the General Assembly of Tennessee, That a committee, of six on the part of the House and three on the part of the Senate, be appointed, to be

known as the "State Debt Committee," to which all bills and resolutions pertaining to the settlement of the public debt shall be referred without debate, and said committee when appointed be instructed to report a bill at as early a day as practicable for the settlement of the State debt.

Adopted February 13, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.
B. F. ALEXANDER,
Speaker pro tem. of the Senate.

Approved February 14, 1883.

WM. B. BATE,
Governor.

NUMBER XXI.

Be it resolved by the General Assembly of the State of Tennessee, That the Secretary of State be and he is hereby directed to furnish to the chairman of the County Court of the new county of Chester, for the use of the Magistrates, Clerks, etc., of said county, ten copies of Thompson & Steger's edition of the Code of Tennessee, and ten copies of the Acts of 1879; the cost of said copies of Code and Acts to be included in the General Appropriation bill.

Adopted February 14, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.
B. F. ALEXANDER,
Speaker of the Senate.

Approved February 15, 1883.

WM. B. BATE,
Governor.

NUMBER XXII.

Be it resolved by the General Assembly of the State of Tennessee, That a joint committee of two on the part of the Senate and three on the part of the House be appointed to prepare and present to this General Assembly a bill for the assessment and collection of revenue for State and county purposes.

Adopted February 15, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER.

Speaker of the Senate.

Approved February 15, 1883.

WM. B. BATE,

Governor.

NUMBER XXIII.

Be it resolved by the General Assembly of the State of Tennessee, That a committee of three on the part of the Senate and three on the part of the House be appointed to inquire into and report the condition of the "Hermitage," the home of Jackson, and especially by whom it is held, what rents and profits are derived, and how the profits and incomes are disposed of; and if held by life tenants, if they keep down all expenses and charges, and keep it in suitable and proper condition. The committee will report the interest of the present occupants, and the rights of the State in the premises, and such other and further suggestions as the committee shall

deem proper. They will report at as early a time as practicable.

Adopted February 15, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved February 15, 1883.

WM. B. BATE,
Governor.

NUMBER XXIV.

Be it resolved by the House of Representatives, the Senate concurring, That the thanks of this General Assembly are hereby tendered to the Rev. J. L. M. Curry, L. L. D., General Agent of the Peabody Educational Fund, for his very able and instructive address on the subject of Popular Education, delivered before the members of the two Houses in the Hall of the House of Representatives, on the 9th day of February, 1883.

Adopted February 19, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved February 21, 1883.

WM. B. BATE,
Governor.

NUMBER XXV.

WHEREAS, The Committee upon Charitable Institutions, in the discharge of its duties, will have to visit the Deaf and Dumb School located at Knoxville; and

WHEREAS, The Tennessee University, located at the same place, is largely under the patronage of the State, and the people thereof are deeply interested in its management; therefore,

Resolved, The Committee on Charitable Institutions be required and authorized to visit said Tennessee University, and to investigate its condition and management, and make full report thereon to this Legislature, also to examine into and report upon the condition of the property at that place belonging to the State, known as the Fair Grounds.

Adopted February 22, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved February 27, 1883.

WM. B. BATE,

Governor.

NUMBER XXVI.

Resolved by the General Assembly of the State of Tennessee, That a committee of three from the House and two from the Senate be appointed by the respective Speakers to draft a bill revising the fee bills of officers.

Adopted February 22, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved February 27, 1883.

WM. B. BATE,

Governor.

NUMBER XXVII.

Be it resolved, That the joint committee heretofore appointed to settle with the Treasurer and other State officers, be and they are hereby instructed to send for persons and papers, and take such proof as they may deem proper to enable them to report to this body specifically, if possible, what disposition has been made by M. T. Polk of the fifty thousand dollars of United States bonds received by him, together with the interest thereon, and any and all other funds belonging to the State, which may have been misappropriated by him. Said committee will report fully, where practicable, into whose hands any of the moneys belonging to the State may have gone, and under what circumstances; and until the further report of said committee, all action under the report of the committee appointed to confer with the attorneys of M. T. Polk be suspended. Said committee will give public notice to all parties not to purchase any of the bonds taken in by M. T. Polk, and misapplied by him, and they will also notify the Treasurer of the United States not to pay any of said bonds or coupons.

Adopted February 23, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved February 27, 1883.

WM. B. BATE,
Governor.

NUMBER XXVIII.

Resolved, That the thanks of the Forty-third General Assembly of the State of Tennessee be and the same are hereby tendered to the managers and young

ladies of Ward's Seminary for the splendid entertainment given February 23, 1883, to the Legislature, so richly enjoyed by all who were present.

Adopted February 28, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 2, 1883.

WM. B. BATE,

Governor.

NUMBER XXIX.

Be it resolved by the House of Representatives, the Senate concurring, That \$350, or so much as is necessary, be and the same is appropriated to re-cover the tomb of Jackson at the Hermitage, to fasten securely the slab over Mrs. Jackson's grave, to remove or erase the names on the obelisk at tomb written by visitors, and to place a plain substantial railing around the tomb to protect the better the resting place of our illustrious dead.

Be it resolved, That the Governor be requested to have these things done before the adjournment of this Assembly, and that this expenditure be provided for in the general appropriation bill.

Adopted March.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 8, 1883.

WM. B. BATE,

Governor.

NUMBER XXX.

Respect to the memory of Honorable Alexander H. Stephens.

WHEREAS, the intelligence has reached us of the death of Hon. Alexander H. Stephens, Governor of Georgia, which sad event occurred at Atlanta, on the morning of the 4th inst.; and

WHEREAS, the deceased statesman was long in public life, and identified with most of the great questions of national interest for thirty years, a man of great learning, honesty and ability; therefore,

Be it resolved by the General Assembly of the State of Tennessee, That we recognize in the death of this distinguished statesman a loss, not only to the people of our sister State of Georgia, but to the whole country, which he has served so long and well.

Resolved further, That our sympathies are hereby tendered to his family and friends and the people of Georgia in this great bereavement.

Adopted March 6, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 8, 1883.

WM. B. BATE,

Governor.

NUMBER XXXI.

Directory to the State Board of Health to examine into the sanitary condition of the jail of Davidson county.

Be it resolved by the General Assembly of the State of Tennessee, That the State Board of Health be and they are hereby instructed to examine into the sanitary condition of the county jail of Davidson county, and report

at once whether the health of the prisoners in said jail is impaired by reason of their confinement in same, and, if such in their judgment is the case, to recommend such steps to be taken as may be necessary for the health and security of said prisoners; and to further report whether or not it would be advisable to remove them to some other prison or prisons until said jail can be put in good sanitary condition.

Adopted March 7, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 12, 1883.

WM. B. BATE,

Governor.

NUMBER XXXII.

Be it resolved by the General Assembly of the State of Tennessee, That the State Board of Health be requested to examine into the present mode of heating and ventilating the capitol building, and report the effect the same has upon the sanitary condition of the building, and if necessary, in their judgment, to recommend such correction as may be deemed advisable, and to further report some means by which to put the water-closet in a better sanitary condition.

Adopted March 8, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 14, 1883.

WM. B. BATE,

Governor.

NUMBER XXXIII.

Joint resolutions by the Senate and House of Representatives of the State of Tennessee, to encourage an appropriate anniversary celebration of the inauguration of President Washington, the first President elected under the Constitution of the United States, to be held in the city of New York in 1889.

WHEREAS, The inauguration of General George Washington in the city of New York, A. D. 1789, and the establishment of constitutional government, through which government we have held for a century treaty and commercial relations with the people of all nations and governments, and through which the States have generally enjoyed the rights reserved and those ceded to the Federal Government, and which are now unmarred by sentiment or section ;

Resolved, That we recommend that preliminary arrangements be made for celebrating the one hundredth anniversary of the most important event that has ever occurred with the American people, in the city of New York, by the holding of a National and International Exhibition of science, art, industry, manufactures, agricultural, mineral and all other resources, developed and undeveloped, of our country, evidencing intelligent progress made under constitutional government by the people of the United States within the first century.

Resolved, That the assembling of the people of the States and territories of the American Union and of all nations affords a means of education not otherwise attainable.

Resolved, That we commend the importance of the subject to his excellency the President of the United States and request that he call the attention of Congress to it in his next annual message.

Resolved, That we commend the subject to the people of the State of Tennessee and earnestly urge that they give it timely and important consideration, that they may be prepared to show to the capitalists of the world evidences of the advantages of climate, agricultural, manufactories, mineral and other resources of the State.

Resolved, That his excellency the Governor of the Commonwealth be and is hereby requested to forward a printed copy of this preamble and resolution to his ex-

cellency the President of the United States and to the
Governors of the States and Territories.

Adopted March 13, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 19, 1883.

WM. B. BATE,

Governor.

NUMBER XXXIV.

Resolved by the General Assembly of the State of Tennessee, That the thanks of this body are hereby tendered the president, managers and participants of Fisk University for their entertainment, which was so richly enjoyed by all who were present.

Adopted March 16, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 19, 1883.

WM. B. BATE,

Governor.

NUMBER XXXV.

Be it resolved by the General Assembly of the State of Tennessee, That this body extend a cordial invitation to Gen. Fitzhugh Lee and Gen. Basil Duke to visit the hall of the House of Representatives during their sojourn in the city of Nashville, at any time that may suit their convenience.

Adopted March 16, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 19, 1883.

WM. B. BATE,

Governor.

NUMBER XXXVI.

Resolved by the General Assembly of the State of Tennessee, That on this, the national holiday of Ireland, in appreciation of her heroic people, whose love of country, resistance to tyranny, courage in the field, eloquence in the forum and sympathy for the oppressed have in all ages won for them the admiration of all who admire that which is true, noble and self-sacrificing, we, the representatives of the people of Tennessee, extend to the Irish people our sympathy in the struggle they are waging against alien landlords.

Adopted March 17, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 26, 1883.

WM. B. BATE,

Governor.

NUMBER XXXVII. :

Be it resolved by the General Assembly of the State of Tennessee, That the printer to the State be instructed to print seven hundred copies each of the Journals of the House of Representatives and of the Senate, and seven hundred copies of the Appendix, and five thousand copies of the Acts of this session, all to be bound as usual.

Resolved further, That the State Printer is hereby authorized to print any additional number of copies of the Acts as he wishes, at his own expense, for sale: *Provided, however,* that they shall not be sold at more than one dollar per copy.

Adopted March 20, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 22, 1883.

WM. B. BATE,

Governor.

NUMBER XXXVIII.

WHEREAS, efforts are being made to request the organization of the "Grand Army of the Republic," at its annual meeting of the National Encampment, to be held at Denver, Col., in August next, to hold the Encampment for 1884 at Nashville, Tenn.; therefore,

Resolved by the General Assembly of the State of Tennessee, That the hall of the House of Representatives, the Senate chamber and committee rooms in the capitol building be and the same are hereby tendered to the

Grand Army of the Republic at their annual Encampment for 1884.

Adopted March 26, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

B. F. ALEXANDER,
Speaker of the Senate.

Approved March 28, 1883.

WM. B. BATE,
Governor.

NUMBER XXXIX.

WHEREAS, the Phi Delta Theta, one of the largest and most prosperous of all the Greek letter fraternities, will hold its biennial convention in this city, in October, 1884; and as said convention will bring together a large number of young men from all sections of our broad land to view (many of them for the first time) the attractions of Nashville and the "New South;" and

WHEREAS, the resident members of said fraternity are desirous of providing in a comfortable and suitable manner for the entertainment of their visiting brethren in the bond while in our midst; therefore,

Be it resolved by the General Assembly of the State of Tennessee, That the use of the hall of Representatives or the Senate chamber, at the option of said convention, be and the same is hereby tendered to said fraternity during the week beginning October 27, 1884, should it desire either, for the purpose of holding meetings or public exercises therein.

Adopted March 26, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

Approved March 28, 1883.

WM. B. BATE,
Governor.

NUMBER XL.

Resolution to adjourn *sine die*.

Be it resolved by the General Assembly of the State of Tennessee, That the Forty-third General Assembly of the State of Tennessee adjourn sine die at 4 o'clock P. M. on Friday, the 30th of March, 1883.

Adopted March 29, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

B. F. ALEXANDER,

Speaker of the Senate.

Approved March 30, 1883.

WM. B. BATE,

Governor.

SENATE RESOLUTION.

NUMBER I.

Resolved by the Senate, That our Senators in Congress of the United States be requested to use all possible diligence in securing the passage of the bill now pending before the Senate of the United States on its third reading, enlarging the powers of the Commissioner of Agriculture, and making his official position that of Cabinet Officer.

Adopted January 17, 1883.

B. F. ALEXANDER,
Speaker of the Senate.

HOUSE RESOLUTIONS.

NUMBER I.

Directory to the Clerk to inform the Senate that the House has completed its organization.

Resolved by the House of Representatives, That the Clerk of the House inform the Senate that the House has completed its organization, and is ready to proceed to business.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

NUMBER II.

Resolved, That when this House adjourns for any day it will hereafter convene on the following day at 7 o'clock A. M., until otherwise ordered.

Adopted February 19, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

NUMBER III.

Resolved by the House of Representatives of the State of Tennessee, That a committee of three members be appointed by the Speaker to confer with the ministers of the various denominations in the city, and request them to make such arrangements among themselves as will secure one of their number to be present on each morning of the meetings of the House of Representatives, and open its deliberations with prayer.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

NUMBER IV.

Resolved, That the use of this hall be granted on next Monday night, January 8th, to a meeting to be held, as a Confederate Historical Conference, in accordance with a call issued by a number of Tennessee Ex-Confederate Soldiers, for the purpose of taking steps towards the completion of a Military History of Tennessee, now in course of preparation by Dr. J. Berrien Lindsley, and for furnishing a memorial roll for said history.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

NUMBER V.

Resolved, That an additional standing committee is hereby created, to be known as the "Committee on Railroads."

Resolved further, That the Speaker appoint a special committee of seven on the State debt.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

NUMBER VI.

Resolved, That the Speaker of the House be authorized to appoint three porters for the House of Representatives, and they shall receive for their services two dollars per day.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

NUMBER VII.

Be it resolved by the House of Representatives, That the Assistant Clerk of the House be directed to prepare a roster of the House.

Adopted February 20, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

NUMBER VIII.

Be it resolved by the House of Representatives, That the Sergeant-at-arms be instructed to procure at the expense of the State one copy of Thompson & Steger's edition of the Code of Tennessee, and one copy of Milliken's Meigs' Digest, for the use of the Judiciary Committee during the session of this General Assembly, to be by them delivered to the Secretary of State at the close of the session for the use of future Judiciary Committees.

W. L. LEDGERWOOD.

Speaker of the House of Representatives.

NUMBER IX.

Be it resolved by the House of Representatives, That the Sergeant at-Arms be instructed to procure a copy of Thompson & Steger's edition of the Code of Tennessee, at the expense of the State, for the use of the Committee on Finance, Ways and Means.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

NUMBER X.

Resolved, The House tender the use of the Hall of the House of Representatives Tuesday night, 13th inst., at 7 o'clock P. M. to the Tennessee Historical Society.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

NUMBER XI.

Resolved by the House of Representatives, That the use of this hall be granted, on the evening of the 21st of February, 1883, for the purpose of hearing an address to be delivered by the Hon. Henry Watterson.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

NUMBER XII.

Resolved by the House of Representatives, That the Sergeant-at-arms is hereby instructed to furnish each member of the House with five dollars in postage stamps, to pay postage on public documents, to be provided for in the general appropriation bill.

Adopted February 20, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

NUMBER XIII.

Resolved by the House of Representatives, That the thanks of this House are hereby tendered to Hon. Henry Watterson for the able, exhaustive and patriotic address delivered by him in the hall of the House on the evening of the 21st inst., at the request of the members of the Legislature.

Adopted February 22, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

NUMBER XIV.

Resolved by the House of Representatives, That hereafter when the House adjourns in the afternoon, it shall adjourn to meet at half past seven o'clock at night.

Adopted March 13, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

NUMBER XV.

Be it resolved, That the Rules of the House be so amended as to provide that hereafter all Bills shall be acted upon on their second reading before being referred to any of the committees of the House.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

NUMBER XVI.

Resolution to provide a Calendar for the use of the House.

Resolved by the House of Representatives, That the Clerk of the House be and is hereby directed to prepare and cause to be laid on the desk of each member of the House, on every Monday morning, a revised Calendar of the business of the House, showing each and every Resolution and Bill, by whom offered, and the action of the House thereon.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

NUMBER XVII.

Be it resolved by the House of Representatives of the State of Tennessee, That the use of their hall is hereby granted to the Tennessee Soldiers' Association on Monday night next, the 15th, for the purpose of holding their meeting.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

NUMBER XVIII.

WHEREAS, the water now being furnished for the use of the members of the House is not healthy; therefore,

Be it resolved by the House of Representatives, That the Sergeant-at-Arms of the House is hereby directed to purchase an improved filterer for the use of the House of Representatives, the pay for which shall be provided for in the general appropriation bill.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

NUMBER XIX.

Resolved, That the Speaker is hereby authorized to appoint a Journal Clerk for remainder of session.

Adopted March 2, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

NUMBER XX.

Resolution directing the Superintendent of the Capitol to procure and place upon the floor of the hall of the House of Representatives a suitable carpet, not to exceed in cost \$1.50 per yard.

Resolved, That the Superintendent of the Capitol be and he is hereby directed to procure and place upon the floor of the hall of the House of Representatives a suitable carpet, not to exceed in cost \$1.50 per yard.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

NUMBER XXI.

WHEREAS, A Bill, No. 4429, has passed the House of Representatives of the United States, entitled "An Act to enlarge the powers and duties of the Department of Agriculture;" and

WHEREAS, The said Bill has passed on its 1st and 2d readings in the Senate of the United States;

Be it resolved by the House of Representatives of the State of Tennessee, That our United States Senators be instructed to vote for and use their influence for the passage of the said Bill.

Be it further resolved, That the Secretary of State be directed to furnish each of our Senators with a copy of these resolutions.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

NUMBER XXII.

WHEREAS, the session is drawing to a close and all the bills are on their third reading, and to save further expense by reason of publication of calendar of the House weekly;

Resolved by the House, That the clerk be directed to discontinue the calendar from and after this week.

Adopted March 14, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

NUMBER XXIII.

WHEREAS, It is now manifest that the House Bills on the Calendar on 3d reading can not all be disposed of upon a regular call ; and

WHEREAS, There are some important Bills which should be considered by this House ; therefore

Be it resolved, When Bills on 3d reading are reached in the "Order of Business," the Roll of the members shall be called, and each member, when called, shall be allowed to call up one bill to be considered by the House.

Adopted March 23, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

NUMBER XXIV.

Be it resolved by the House of Representatives, That the committee on public grounds and buildings be authorized to have a mechanic to examine the condition of the chandelier in this Hall and report whether or not there is danger of its giving way.

Adopted, February 27, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

NUMBER XXV.

Resolved, That the use of the Hall of the House of Representatives be tendered the Southern Historical Society, the Tennessee Soldiers' Association, and the Tennessee Historical Society, for their meetings in May.

Adopted March 27, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

NUMBER XXVI.

Be it resolved by the House of Representatives, That the Speaker is hereby authorized and empowered to appoint A. L. Plummer Assistant Engrossing Clerk for the balance of this session, beginning March 29, 1883, for the payment of his services provision shall be made in the appropriation bill.

Adopted March 29, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

NUMBER XXVII.

Resolution requesting the President of the United States to call the attention of the Government of France to the claims of Pierre Dupont, and ask that he be restored to the property, rights, and personal franchises of his ancestors.

WHEREAS, It appearing that Pierre Dupont is the legal lineal descendant of Marshal Francois Joseph Lefebore, the Duke of Dantzic; and

WHEREAS, The letters patent of nobility, that existed in the said Duke of Dantzic, now exist in Pierre Dupont; and

WHEREAS, He holds the said letters patent of nobility of said Marshal Lefebore, and that they, the said letters, not having been reissued in the name of the Dupont family, for as citizens and residents of the United States there was no reason existing why it was to their interest to request a reissue of said letters patent, the said Pierre Dupont, as the representative of his family, sayeth that their interest, consisting both in landed estates and personal franchises, will suffer unless the broken chain in the title (caused by change of name in family) is officially connected by the French Government, in order that he may be empowered legally to proceed to the protection of interests and rights accruing to himself and family in the Republic of France, and which interests he cannot represent, unless he has said official recognition; therefore be it

Resolved by the House of Representatives of the State of Tennessee, That we most respectfully ask the President of the United States to lay the claims of Pierre DuPont before the French Government and officially request that he be restored to the property rights of his ancestors, and accorded all personal franchises and patents which belong to him.

Adopted March 29, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

NUMBER XXVIII.

Be it resolved by the House of Representatives, That we hereby tender the thanks of the members of this body to the Speaker of this House for the efficient and courteous manner in which he has discharged the duties of his position.

Adopted March 30, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

NUMBER XXIX.

Resolved by the House of Representatives, That the thanks of the members of the House are hereby tendered to E. B. Wade, Principal Clerk, and J. E. Alexander, Assistant Clerk, for the able and efficient manner in which they have conducted their business during the session.

Adopted March 30, 1883.

W. L. LEDGERWOOD,
Speaker of the House of Representatives.

NUMBER XXX.

Be it resolved by the House of Representatives, That the thanks of this body are hereby tendered to our kind and accommodating Sergeant-at-Arms and Assistant Sergeant-at-Arms, Messrs. C. W. Crockett and Geo. W. Griffin, jr., for their faithful and attentive services upon this body during the present session.

Adopted March 30, 1883.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

NUMBER XXXI.

WHEREAS, Wm. B. Pickering, Principal Clerk, C. C. Plummer, Assistant Clerk, B. J. Hadley, Assistant Sergeant-at-Arms, J. A. Sparrow, Porter, and Murray Lewis, Assistant Porter of the House of the Forty-second General Assembly, have been in attendance upon this House during the organization, for which they ought to be compensated ; therefore,

Be it resolved by the House of Representatives, That they be allowed the regular per diem for their services, which shall be provided for in the general appropriation bill.

W. L. LEDGERWOOD,

Speaker of the House of Representatives.

INCORPORATIONS.

INCORPORATIONS

Organized under Chapter 143, Acts of 1875, known as the "Charter Act," and Acts amendatory, published herein by direction of Section 30 of said Charter Act.

NAME OF INCORPORATION.	County where Registered.	When registered in Secretary of State's Office	In what Book.	No. of Page.
Shiloh Institute.....	Marion.....	Mar. 25, 1881	D	236
Carl Carousen Company.....	Davidson.....	" 26, 1881	D	239
Telford Manufacturing Company.....	Washington.....	" 26, 1881	D	243
Board of Trustees of First Baptist Church.....	Rutherford.....	" 28, 1881	D	246
Corinth Academy.....	Jackson.....	" 28, 1881	D	248
Daisy Coal Mining Company.....	Hamilton.....	Apr. 6, 1881	D	250
Holston Fire Company No. 2 (Knoxville).....	Knox.....	" 6, 1881	D	254
Upper Nashville Turnpike Company.....	Sumner.....	" 6, 1881	D	256
Columbia Herald Publishing Company.....	Maury.....	" 7, 1881	D	259
Goodman's Business College.....	Davidson.....	" 12, 1881	D	263
East Tennessee Stockbreeders Association.....	Monroe.....	" 13, 1881	D	267
New Era Mill Company.....	Davidson.....	" 14, 1881	D	268
Bluff Springs Academy.....	Travisdale.....	" 14, 1881	D	272
Mt. Moriah House Male and Female Institute.....	Hardeman.....	" 14, 1881	D	274
West Nashville Planing Mill and Lumber Co.....	Davidson.....	" 14, 1881	D	275
Board of Missions of the Methodist Episcopal Church South.....	Davidson.....	" 15, 1881	D	277
Standard Directory Company.....	Davidson.....	" 15, 1881	D	279
Knoxville & Augusta Railroad Company.....	Knox.....	" 15, 1881	D	282
Hardie Phœon Company.....	Davidson.....	" 20, 1881	D	290
Gayoso Oil Works.....	Shelby.....	" 20, 1881	D	294
Van Leer Academy.....	Dickson.....	" 20, 1881	D	299
Valley Oil Mills.....	Shelby.....	" 21, 1881	D	300
Moore Memorial Presbyterian Church.....	Davidson.....	" 21, 1881	D	303
"Shilo".....	Henry.....	" 21, 1881	D	305
Factors' Mutual Insurance Company.....	Shelby.....	" 22, 1881	D	307
Helenwood Coal Company.....	Scott.....	" 22, 1881	D	312
King College.....	Sullivan.....	" 23, 1881	D	316
Main Street Railroad.....	Davidson.....	" 23, 1881	D	321
Nashville Cotton Mills.....	Davidson.....	" 23, 1881	D	326
Corporation of Greenfield.....	Weakley.....	" 23, 1881	D	330
Pine Hill Academy.....	Hawkins.....	" 23, 1881	D	331
New Hope School.....	Hardin.....	" 30, 1881	D	333
Clarksville Gas Light Company.....	Montgomery.....	May 2, 1881	D	334
Union Academy.....	Union.....	" 2, 1881	D	338
Cherokee Academy.....	Washington.....	" 4, 1881	D	340
Phillips & Buttorf Manufacturing Company.....	Davidson.....	" 5, 1881	D	341
Zion Academy.....	White.....	" 5, 1881	D	345
Horse Collar Academy.....	Dickson.....	" 5, 1881	D	346
Franklin & Little Harpeth Turnpike Company.....	Williamson.....	" 7, 1881	D	347
Poplar Creek Coal and Iron Company.....	Anderson.....	" 7, 1881	D	352
Alabama Parian Marble Company.....	Knox.....	" 9, 1881	D	356
Jackson Ice Manufacturing Company.....	Madison.....	" 9, 1881	D	359
Morgan Pickle Works.....	Davidson.....	" 11, 1881	D	361
Chattanooga Coal Company.....	Hamilton.....	" 12, 1881	D	364
Rock City Gas Company.....	Davidson.....	" 14, 1881	D	368
Home Life Association.....	Bedford.....	" 19, 1881	D	370
Nashville Mutual Warehouse Company.....	Davidson.....	" 20, 1881	D	375
Factors' Storage and Compress Company.....	Shelby.....	" 30, 1881	D	377
Southern Gas Works.....	Knox.....	" 30, 1881	D	381
DeSoto Oil Company.....	Shelby.....	" 31, 1881	D	385
Householders' Mutual Benefit Association.....	Davidson.....	June 3, 1881	D	389
Tennessee River, Rhea Springs and Crossville Railroad.....	Rhea.....	" 9, 1881	D	392

NAME OF INCORPORATION.	County where Registered.	When registered in Secretary of State's Office	In what Book.	No of Page.
Pilot Mountain Coal and Mining Company.....	rgan	June 14, 1881	D	398
Pilot Mountain Building and Improvement Co.	Morgan	" 14, 1881	D	402
Tradesman Publishing Company.....	Hamilton	" 15, 1881	D	407
Gallatin Gas Company.....	Sumner	" 25, 1881	D	410
East Tennessee Fair and Turn, Association.....	Knox	" 27, 1881	D	412
Line Street and Watkins Park Street Railroad Company	Davidson	" 28, 1881	D	418
Hartsville Seminary.....	Trousdale	" 28, 1881	D	421
Pioneer Mill.....	McMinn	" 30, 1881	D	422
Fayetteville and Boon's Hill Turnpike Co.....	Lincoln	July 1, 1881	D	424
Knoxville Car Wheel Company.....	Knox	" 2, 1881	D	428
Greenfield Turnpike Company.....	Sumner	" 6, 1881	D	432
Tennessee Coal, Lumber and Tanbark Company	Morgan	" 7, 1881	D	437
West End Building and Saving Association.....	Davidson	" 8, 1881	D	440
Jackson-Memphis Navigation Company.....	Madison	" 8, 1881	D	444
Peoples' Bank	Wilson	" 12, 1881	D	448
Middle Franklin Turnpike Company.....	Williamson	" 28, 1881	D	452
Supreme Lodge of the United States Workmen's Independent Order of Mornial Friendship	Giles.....	" 15, 1881	D	457
Maury County Building and Loan Association.	Maury	" 15, 1881	D	459
Oliver Theater Company.....	Hardeman	" 22, 1881	D	463
Merchants and Traders Produce Exchange.....	Davidson	" 23, 1881	D	465
Oakhill Academy.....	Henry	" 26, 1881	D	469
Chapel Hill Academy	Marshall	" 28, 1881	D	469
Mutual Fire Insurance Company.....	Davidson	Aug. 3, 1881	D	471
Upper Cumberland River Packet Company.....	Davidson	" 4, 1881	D	474
White Fern Springs Hotel Company.....	Hardeman	" 9, 1881	D	477
Edgefield Female Academy.....	Davidson	" 11, 1881	D	481
Nashville Mutual Fire Insurance Association.....	Davidson	" 12, 1881	D	483
Oakhill Academy.....	Henry	" 10, 1881	D	486
Selma, Marion & Memphis Railroad Company.....	Shelby	" 15, 1881	D	489
Return Fund Life Association.....	Davidson	" 16, 1881	D	499
Tennessee Southern Railroad Company.....	Shelby	" 17, 1881	D	505
Clark Foundry and Machine Company.....	Knox	" 18, 1881	D	514
Whiteville Male and Female Institute.....	Hardeman	" 19, 1881	D	516
Tennessee Wagon (trade mark).....	Davidson	" 20, 1881	D	518
Rock City Mutual Fire Insurance Association.....	Davidson	" 20, 1881	D	520
Nashville Cooperage Company.....	Davidson	" 20, 1881	D	521
Etna Coal Company.....	Marion	" 22, 1881	D	524
Knoxville, Winter's Gap and New River Railroad Company.....	Roane	" 22, 1881	D	527
Columbia Manufacturing Company.....	Maury	" 24, 1881	D	535
Sedgemoor and Rugby Turnpike Company.....	Morgan	Dec. 2, 1881	D	737
Brush Electric Light Company of Chattanooga.	Hamilton	" 5, 1881	D	741
Southern Telegraph College.....	Davidson	" 7, 1881	D	744
Farmer's Academy.....	Shelby	Mar. 26, 1881	E	85
Buck Valley Academy.....	Obion	" 26, 1881	E	86
Grand View Academy.....	Rhea	" 29, 1881	E	87
Friendsville Academy.....	Blount	" 30, 1881	E	89
Fairview Academy.....	Davidson	Apr. 10, 1881	E	90
Cedar Hill Church and School Corporation	Hickman	" 23, 1881	E	91
Trustees of Liberty School.....	Tipton	" 23, 1881	E	92
Poplar Grove Common School	Henry	" 25, 1881	E	96
Poplar Cave School House	Fentress	" 25, 1881	E	94
West Union Male and Female School	Shelby	" 25, 1881	E	96
Mud Spring School House.....	Putnam	" 25, 1881	E	96
Union Star Academy.....	Roane	" 25, 1881	E	97
Love's Cross Roads Academy.....	Union	" 25, 1881	E	98
Oakdale Junction Academy.....	Morgan	" 25, 1881	E	99
Pleasant Grove Academy.....	Lincoln	" 26, 1881	E	100
Antioch.....	DeKalb	" 26, 1881	E	101
Cumberland City Library and Academy.....	Stewart	" 26, 1881	E	102
Educational Association of Wayland Springs	Lawrence	" 26, 1881	E	103
St. Bethlehem Male and Female Academy.....	Montgomery	" 28, 1881	E	104
Grindstaff School House.....	Blount	" 30, 1881	E	105
National Manufacturing Company	Davidson	Nov. 2, 1881	D	670
Prewitt, Spurr & Co., (amendment).....	Davidson	" 4, 1881	D	674
J. H. Pemberton Coal and Mining Company.....	Scott	" 7, 1881	D	676
City Produce Exchange.....	Davidson	" 9, 1881	D	679
Knoxville Furniture Manufacturing Company.....	Knox	" 10, 1881	D	682

NAME OF INCORPORATION.	County where Registered.	When registered in Secretary of State's Office	In what Book.	No. of Page.
Bristow & North Carolina Narrow Gauge Railway Company (amendment).....	Sullivan.....	Nov. 1, 1881	D	685
Tennessee and Alabama Ice and Refrigerator Company	Maury.....	" 15, 1881	D	688
Brush Electric Light Company	Davidson.....	" 16, 1881	D	691
Memphis Board of Trade	Shelby.....	" 16, 1881	D	694
Rugby Commissary.....	Morgan.....	" 21, 1881	D	697
Zent Lumber Company.....	Shelby.....	" 26, 1881	D	701
Peace Commandery No. 1, United Order of the Golden Cross of the World.....	Knox.....	" 26, 1881	D	705
Rabun Gap Railway Company.....	Davidson.....	" 28, 1881	D	707
Nashville Publishing Company.....	Davidson.....	" 28, 1881	D	721
Palestine Academy.....	Clay.....	" 29, 1881	D	724
Morristown and Cumberland Coal, Iron and Land Company.....	Hamblen.....	" 29, 1881	D	726
Mobile, Clarksville & Evansville Railroad Co.....	Montgomery.....	" 30, 1881	D	729
Cedar Valley Academy.....	Robertson.....	Dec. 1, 1881	D	732
Brush Electric Light and Power Company.....	Davidson.....	" 2, 1881	D	734
Tennessee & Kentucky Railroad Company.....	Davidson.....	Aug. 24, 1881	D	537
Locust Grove Male and Female Academy.....	Carter.....	" 24, 1881	D	545
Laurel Branch Male and Female Academy.....	Carter.....	" 24, 1881	D	546
Chesapeake, Ohio & Southwestern Railroad Co.....	Shelby.....	" 26, 1881	D	548
Kennesaw Manufacturing Company.....	Shelby.....	" 26, 1881	D	556
Winter's Gap Railroad Company.....	Anderson.....	" 30, 1881	D	559
Nashville & Edgefield Street Railroad Company.....	Davidson.....	Sept. 1, 1881	D	564
Vanderbilt Mutual Insurance Company.....	Shelby.....	" 1, 1881	D	565
Nashville and New Mexico Mining Company.....	Davidson.....	" 2, 1881	D	567
Columbia Cotton and Produce Exchange.....	Maury.....	" 7, 1881	D	570
Clinton, Poplar Creek & Huntsville Railroad Company.....	Anderson.....	" 9, 1881	D	572
Winter's Gap Railroad Company.....	Knox.....	" 12, 1881	D	577
Greenhill Academy.....	Franklin.....	" 12, 1881	D	582
World Publishing Company.....	Davidson.....	" 15, 1881	D	584
Tennessee Coal Iron and Railroad Company.....	Davidson.....	" 16, 1881	D	586
Bethlehem Academy.....	Hamilton.....	" 20, 1881	D	588
Knoxville Ice Company.....	Knox.....	" 22, 1881	D	590
Sweetwater Manufacturing Company.....	Monroe.....	" 23, 1881	D	593
Great Southern Emigration, Real Estate and Labor Association.....	Shelby.....	" 30, 1881	D	595
Union Corporation No. 298.....	Henderson.....	" 30, 1881	D	598
Nashville Spoke and Handle Company.....	Davidson.....	" 30, 1881	D	600
Owensboro & Nashville Railroad Company.....	Davidson.....	Oct. 3, 1881	D	604
Kerville Hotel Co.....	Shelby.....	" 3, 1881	D	612
East Nashville Street Railroad Company.....	Davidson.....	" 4, 1881	D	615
East End Railway.....	Davidson.....	" 5, 1881	D	619
Lanier Mills Company.....	Davidson.....	" 7, 1881	D	622
Spring Hill Seminary.....	Davidson.....	" 10, 1881	D	625
Noel Mill and Elevator Company.....	Davidson.....	" 11, 1881	D	628
Braden Academy.....	Fayette.....	" 12, 1881	D	630
Tracy City.....	Grundy.....	" 18, 1881	D	632
New River Railroad Company.....	Anderson.....	" 20, 1881	D	633
Hiwassee Railroad Company.....	Polk.....	" 20, 1881	D	635
Prewitt, Spurr & Co., (amendment).....	Davidson.....	" 22, 1881	D	643
Bostwick Folding Iron Gate Company.....	Davidson.....	" 25, 1881	D	645
Knoxville Coal Company.....	Campbell.....	" 29, 1881	D	648
Dancerville Male and Female Academy.....	Haywood.....	" 29, 1881	D	651
Central Coal Company.....	Anderson.....	" 29, 1881	D	653
Labor Union of the State of Tennessee.....	Davidson.....	" 29, 1881	D	656
Rutherford Station Male and Female Academy.....	Gibson.....	" 29, 1881	D	659
Bricklayers' Benevolent Protective Union No. 1.....	Shelby.....	Nov. 1, 1881	D	664
Memphis Deutscher Schuetzer Verein.....	Shelby.....	" 1, 1881	D	667
Shallow Ford Academy.....	Sumner.....	Apr. 30, 1881	E	106
Pine Land Academy.....	Meigs.....	May 3, 1881	E	107
Pine Wood School.....	Hickman.....	" 3, 1881	E	108
Temperance Hall Male and Female Academy.....	DeKalb.....	" 10, 1881	E	109
Southwestern Benefit Guild.....	Shelby.....	" 11, 1881	E	110
Turnersville Male and Female School.....	Robertson.....	" 12, 1881	E	111
Mountain Park.....	Putnam.....	" 12, 1881	E	111
Mozart Society.....	Shelby.....	" 16, 1881	E	112
Pleasant Mount Academy.....	Mauv.....	" 19, 1881	E	113
Second Presbyterian Church of Chattanooga.....	Hamilton.....	June 12, 1881	E	114
Pisgah Academy.....	Humphreys.....	" 15, 1881	E	115

NAME OF INCORPORATION.	County where Registered.	When registered in Secretary of State's Office	In what Book.	No. of Page.
Ballenger's Chapel.....	Marion.....	June 28, 1881	E	116
Clarksville Law Library Association.....	Montgomery.....	June 28, 1881	E	117
Dry Fork School House.....	Sumner.....	July 8, 1881	E	118
Mt. Joy School.....	Maury.....	" 8, 1881	E	119
Pure Fountain College.....	DeKalb.....	" 23, 1881	E	120
Oakley's Male and Female Academy.....	Smith.....	" 25, 1881	E	121
Rottenhouse Academy.....	Roane.....	" 27, 1881	E	122
Lynnville Academy.....	Giles.....	" 28, 1881	E	123
Huntsville Academy.....	Scott.....	Aug. 4, 1881	E	124
Center Hill Academy.....	DeKalb.....	" 22, 1881	E	125
Pine Creek Academy.....	Scott.....	Sept. 1, 1881	E	126
Sunbright Academy.....	Morgan.....	" 2, 1882	E	127
New Boston Male and Female Academy.....	Henry.....	" 8, 1881	E	128
Commercial Compact.....	Lincoln.....	" 14, 1881	E	129
Porter Guards.....	Shelby.....	" 16, 1881	E	130
Cumberland Academy.....	Claiborne.....	Oct. 3, 1881	E	131
Greenleaf Academy.....	Carroll.....	" 6, 1881	E	132
Fanning Orphan School.....	Davidson.....	" 11, 1881	E	133
Horse Creek Academy.....	Sullivan.....	" 13, 1881	E	134
Britton Academy.....	Cumberland.....	" 18, 1881	E	135
Hermitage Club.....	Davidson.....	" 21, 1881	E	136
Hunt's Station Academy.....	Franklin.....	" 22, 1881	E	137
Union Male and Female Seminary.....	Dyer.....	Nov. 5, 1881	E	138
Home Trust Association.....	Tipton.....	" 8, 1881	E	139
Few's Chapel Educational Company.....	Humphreys.....	" 14, 1881	E	140
Gooch's Academy.....	Williamson.....	" 23, 1881	E	141
Second Presbyterian Church of Nashville.....	Davidson.....	" 23, 1881	E	142
McConnell Institute.....	Shelby.....	" 30, 1881	E	143
Hawkins Academy.....	Lincoln.....	Dec. 1, 1881	E	144
Farmers, Mechanics and Laborers Union No. 1.	Shelby.....	" 26, 1881	E	145
Farmers and Mechanics Mutual Benefit Association.....	Davidson.....	" 28, 1881	E	146
Nashville Life and Nuptial Union.....	Davidson.....	" 30, 1881	E	147
Emory River & Careyville Railroad Company.....	Anderson.....	" 10, 1881	E	1
Ooltawah & Red Clay Railroad Company.....	Bradley.....	" 10, 1881	E	2
Morristown & Carolina Railroad Company.....	Hamblen.....	" 23, 1881	E	3
Bradford High School.....	Gibson.....	Jan. 2, 1882	E	148
Chapel Hill Seminary.....	Henderson.....	" 4, 1882	E	149
Happy Hollow School House.....	Cheatham.....	" 5, 1882	E	150
St. Elmo Birthday Association.....	Hamilton.....	Sept. 19, 1882	E	372
Rok City Birthday Association.....	Davidson.....	" 19, 1882	E	373
Parod Stella Daily Matrimonial Association.....	Shelby.....	" 20, 1882	E	374
Chickamauga Birthday Association.....	Hamilton.....	" 20, 1882	E	375
Wedding Ring Daily Marriage Association.....	Davidson.....	" 20, 1882	E	376
Superior Daily Nuptial Guild.....	Davidson.....	" 20, 1882	E	377
Belle Meade Daily Marriage Association.....	Davidson.....	" 20, 1882	E	378
Memphis Benevolent Marriage Association.....	Shelby.....	" 21, 1882	E	379
Capital Marriage Union Association.....	Shelby.....	" 21, 1882	E	388
South Atlantic & Ohio Railroad Company.....	Sullivan.....	Jan. 15, 1882	E	4
Memphis & Bristol Air Line Railroad Company.....	Davidson.....	Feb. 21, 1882	E	5
Kingston & Emory Gap Railway Company.....	Roane.....	Mar. 16, 1882	E	6
Roane Mountain Railroad Company.....	Hamilton.....	" 25, 1882	E	7
Memphis & New Orleans Railroad and Levee Company.....	Shelby.....	Apr. 25, 1882	F	8
Tennessee Birthday Association.....	Davidson.....	Sept. 16, 1882	E	353
Cupid's Best Daily Matrimonial Association.....	Davidson.....	" 16, 1882	E	354
Golden Staff Mutual Birthday Association.....	Davidson.....	" 16, 1882	E	355
Workingmen's Daily Marriage and Birthday Association.....	Davidson.....	" 18, 1882	E	37
Pacific Matrimonial Association.....	Davidson.....	" 16, 1882	E	358
Oriental Daily Marriage and Endowment Association.....	Davidson.....	" 18, 1882	E	359
Mississippi Valley Matrimonial Association.....	Shelby.....	" 18, 1882	E	360
American Birthday Association.....	Davidson.....	" 18, 1882	E	361
Knickerbocker Daily Marriage and Birthday Association.....	Davidson.....	" 18, 1882	E	362
Enterprise Daily Marriage Association.....	Davidson.....	" 18, 1882	E	363
Mascotte and Birthday Mutual Aid Society.....	Davidson.....	" 18, 1882	E	364
Alphabetical Union.....	Davidson.....	" 18, 1882	E	365
Magnolia Daily Matrimonial Association.....	Davidson.....	" 18, 1882	E	366
Maxwell Daily Marriage Association.....	Davidson.....	" 18, 1882	E	367
Monarch Marriage Association.....	Giles.....	" 18, 1882	E	368

NAME OF INCORPORATION.	County where Registered.	When registered in Secretary of State's Office	In what Book.	No. of Page.
Matrimonial Banking Union.....	Shelby.....	Sept. 18, 1882	E	369
National Birthday Association.....	Lincoln.....	" 18, 1882	E	370
Nashville Birthday Association.....	Davidson.....	" 19, 1882	E	371
Great Western Daily Matrimonial, Birthday and Anniversary Association.....	Davidson.....	" 27, 1882	I	46
Equitable Mutual Birthday Association.....	Davidson.....	" 27, 1882	I	42
Royal Daily Marriage Association.....	Shelby.....	" 27, 1882	I	43
Safety Birthday and Anniversary Association.....	Davidson.....	" 27, 1882	I	44
Silver Leaf Birthday Association.....	Davidson.....	" 27, 1882	I	45
Belmont Benefit Association.....	Rutherford.....	" 27, 1882	I	46
Grand Central Wedding Anniversary and Birth- day Association.....	Giles.....	" 27, 1882	I	47
Home Matrimonial Association.....	Shelby.....	" 27, 1882	I	48
Stonewall Benefit Association.....	Hamilton.....	" 28, 1882	I	49
Equitable Birthday Society.....	Davidson.....	" 28, 1882	I	50
Keystone Birthday, Marriage and Anniversary Association.....	Rutherford.....	" 28, 1882	I	51
National Birthday and Marriage Anniversary Union.....	Rutherford.....	" 28, 1882	I	52
National Birthday and Marriage Anniversary Association.....	Davidson.....	" 28, 1882	I	53
Greenbrier Matrimonial and Birthday Associa- tion.....	Davidson.....	" 28, 1882	I	54
Crown Birthday Association.....	Davidson.....	" 28, 1882	I	55
Cape Jessamine Birthday and Marriage Anni- versary Association.....	Davidson.....	" 28, 1882	I	56
Knoxville Marriage and Birthday Association.....	Knox.....	" 28, 1882	I	57
Star Birthday Association.....	Giles.....	" 28, 1882	I	58
Halcyon Benefit Association.....	Giles.....	" 28, 1882	I	59
Santa Claus Birthday Association.....	Davidson.....	" 28, 1882	I	60
Solid Basis Mutual Birthday Association.....	Davidson.....	" 28, 1882	I	61
Happy Thought Birthday and Marriage Anni- versary Association.....	Davidson.....	" 28, 1882	I	62
Cinderella Birthday Association.....	Davidson.....	" 28, 1882	I	63
Favorite Daily Matrimonial, Birthday and An- niversary Association.....	Davidson.....	" 28, 1882	I	64
Chattanooga Royal Daily Marriage Union.....	Hamilton.....	" 29, 1882	I	65
Lookout Mutual Aid Birthday Association.....	Hamilton.....	" 30, 1882	I	66
Chickasaw Birthday Association.....	Montgomery.....	Oct. 2, 1882	I	67
Natal League of America.....	Davidson.....	" 2, 1882	I	68
Hill City Birthday Association.....	Knox.....	" 2, 1882	I	69
Border City Marriage and Birthday Association.....	Sullivan.....	" 2, 1882	I	70
Sisters of Relief.....	Madison.....	" 3, 1882	I	71
Royal Benefit Association (amended).....	Davidson.....	" 3, 1882	I	72
Gallatin Ferry Company.....	Sumner.....	" 4, 1882	I	73
Enterprise Marriage Association.....	Giles.....	Sept. 12, 1882	H	10
Bon Air Coal, Land and Lumber Company.....	White.....	" 16, 1882	H	11
Tennessee Poultry Association.....	Davidson.....	" 18, 1882	H	12
Knoxville Furniture Company.....	Knox.....	" 25, 1882	H	14
Colored Matrimonial League and Aid Society.....	Giles.....	" 26, 1882	H	15
Daily Wedding Anniversary Guild.....	Davidson.....	" 26, 1882	H	16
Humphreys County Stock and Fair Company.....	Humphreys.....	" 27, 1882	H	17
National Sheet Metal Roofing Company.....	Davidson.....	" 30, 1882	H	18
Cumberland Transfer Company.....	Davidson.....	Oct. 3, 1882	H	19
National Mineral and Industrial Exposition As- sociation.....	Davidson.....	" 5, 1882	H	20
Southern Wire Company.....	Hamilton.....	" 16, 1882	H	21
New South Coal Company.....	Shelby.....	" 18, 1882	H	22
Standard Coal and Coke Company.....	Knox.....	" 19, 1882	H	23
Nashville and Burnside Packet Company.....	Davidson.....	" 20, 1882	H	24
Chattanooga Transfer Company.....	Hamilton.....	" 30, 1882	H	25
Custom-house and Vanderbilt Street Railroad Company.....	Davidson.....	Nov. 2, 1882	H	26
Bank of Lewisburg.....	Marshall.....	" 4, 1882	H	27
Southern Scale Company.....	Hamilton.....	" 6, 1882	H	28
Belmont Flouring Mill Company.....	Rutherford.....	" 7, 1882	H	29
Tennessee Ice Company.....	Davidson.....	" 13, 1882	H	30
Tennessee Marble Monument and Building As- sociation.....	Knox.....	" 13, 1882	H	31
Aspen Hill Manufacturing Company.....	Giles.....	" 16, 1882	H	32
Lilly Carriage Company.....	Shelby.....	" 20, 1881	H	33
Citico Furnace Company.....	Hamilton.....	" 23, 1882	H	34

NAME OF INCORPORATION.	County where Registered.	When registered in Secretary of State's Office	In what Book.	No. of Page.
Concord Academy.....	Hickman.....	Dec. 4, 1882	H	35
Mt. Carbon Coal Company.....	Morgan.....	" 6, 1882	H	36
Dunlap Chalybeate Springs.....	Hardeman.....	" 7, 1882	H	37
Southern Steel Works.....	Hamilton.....	" 7, 1882	H	38
Mutual Storage and Compress Company.....	Shelby.....	" 8, 1882	H	39
El Cuery Mill and Mining Company.....	Davidson.....	" 9, 1882	H	40
Tennessee Handle Company.....	Hamilton.....	" 11, 1882	H	41
Hickman County Mining and Iron Manufacturing Company.....	Davidson.....	" 12, 1882	H	42
Cherokee Hall Merchandise Store.....	Davidson.....	" 13, 1882	H	43
Victor Mills.....	Bedford.....	" 14, 1882	H	44
Tennessee Trotting Horse Breeders' Association	Maury.....	" 16, 1882	H	45
Columbia Marriage Association.....	Maury.....	Sept. 21, 1882	I	1
Mozart Club.....	Knox.....	" 21, 1882	I	2
Pulaski Birthday Association.....	Giles.....	" 21, 1882	I	3
Provident Matrimonial Association.....	Shelby.....	" 21, 1882	I	4
National Matrimonial Union.....	Shelby.....	" 21, 1882	I	5
Bridal Birthday and Freeman's Gift Association.....	Giles.....	" 22, 1882	I	6
Magnolia Nuptial Union.....	Marshall.....	" 22, 1882	I	7
Paragon Benefit Association.....	Rutherford.....	" 23, 1882	I	8
Lebanon Daily Birthday Association.....	Wilson.....	" 23, 1882	I	9
Southern Daily Marriage Association.....	Haywood.....	" 23, 1882	I	10
Amazon Daily Association and Birthday Star Association.....	Haywood.....	" 23, 1882	I	11
Golden Circle Birthday and Wedding Anniversary Association.....	Giles.....	" 23, 1882	I	12
Magnolia Marriage Union.....	Giles.....	" 23, 1882	I	13
Holston Birthday Association.....	Knox.....	" 23, 1882	I	14
Forked Deer Daily Aid Association.....	Gibson.....	" 25, 1882	I	15
Trenton Daily Aid Association.....	Gibson.....	" 25, 1882	I	16
DeSoto Daily Endowment Association.....	Shelby.....	" 25, 1882	I	17
Cumberland Presbyterian Mutual Aid Society.....	Davidson.....	" 25, 1882	I	18
Palmetto Daily Matrimonial and Birthday Association.....	Davidson.....	" 25, 1882	I	19
Matrimonial Daily Echo Association.....	Davidson.....	" 25, 1882	I	20
Bridal and Birthday Guild.....	Davidson.....	" 25, 1882	I	21
Peerless Daily Aid Association.....	Davidson.....	" 25, 1882	I	22
Consolidated Daily Matrimonial, Birthday and Anniversary Association.....	Davidson.....	" 25, 1882	I	23
Martha Washington Wedding and Anniversary Association.....	Davidson.....	" 25, 1882	I	24
Arctic Matrimonial and Birthday Association.....	Davidson.....	" 25, 1882	I	25
People's Birthday Association.....	Gibson.....	" 25, 1882	I	26
Hill City Birthday Association.....	Knox.....	" 25, 1882	I	27
Banner Birthday Association.....	Gibson.....	" 25, 1882	I	28
Trousdale Benefit Association.....	Trousdale.....	" 26, 1882	I	29
Journeyman Painters Benevolent and Protective Union.....	Shelby.....	" 26, 1882	I	30
Middle Tennessee Birthday Association.....	Davidson.....	" 26, 1882	I	31
Solid South Daily Matrimonial Association.....	Davidson.....	" 26, 1882	I	32
Jackson Daily Marriage Anniversary and Birthday Association.....	Davidson.....	" 26, 1882	I	33
Eclipse Birthday Association.....	Davidson.....	" 26, 1882	I	34
Neptune Birthday Association.....	Davidson.....	" 26, 1882	I	35
Monarch Birthday (Daily) Association.....	Davidson.....	" 26, 1882	I	36
Amazon Birthday and Marriage Union.....	Davidson.....	" 26, 1882	I	37
Bon Ton Marriage Anniversary Association.....	Davidson.....	" 26, 1882	I	38
Maxwell Birthday Association (daily).....	Davidson.....	" 26, 1882	I	39
Mammoth Birthday Association.....	Davidson.....	" 27, 1882	I	40
Nashville Sulky Plow Company.....	Davidson.....	June 8, 1882	G	249
Family Mutual Aid Association.....	Obion.....	" 8, 1882	G	252
Southern Colored Marriage Aid Society.....	Hardeman.....	" 10, 1882	G	254
American Marriage Aid Association.....	Hardeman.....	" 12, 1882	G	257
McTyeire Institute.....	Carroll.....	" 16, 1882	G	260
Irvine Cemetery.....	Weakley.....	" 17, 1882	G	262
Tennessee Colored Matrimonial Association.....	Madison.....	" 17, 1882	G	264
Hanauer Oil Works.....	Shelby.....	" 17, 1882	G	266
Grubbs-Kempker Candy and Cracker Manufacturing Company.....	Davidson.....	" 19, 1882	G	269
Memphis Lumber Manufacturing Company.....	Shelby.....	" 20, 1882	G	272
East Tennessee Marriage Union.....	Hamilton.....	" 21, 1882	G	275
Nashville Trout Ponds.....	Davidson.....	" 22, 1882	G	278

NAME OF INCORPORATION.	County where Registered.	When registered in Secretary of State's Office	In what Book.	No. of Page.
Marriage, Life and Death Mutual Benefit Association.....	Madison	June 23, 1882	G	279
Home Matrimonial Association.....	Wilson	" 23, 1882	G	281
Merchants Warehouse Company.....	Davidson	" 27, 1882	G	284
Times Printing Company.....	Hamilton	" 26, 1882	G	287
Jackson Street Railroad Company.....	Madison	" 27, 1882	G	289
Southern Guarantee and Trust Company.....	Shelby	" 27, 1882	G	292
Charter Mills	Bedford	" 28, 1882	G	295
Missouri Furniture Company (abstract of Charter).....	Obion	July 1, 1882	G	299
Nashville Lumber Company.....	Davidson	" 8, 1882	G	301
Doughty Manufacturing Company.....	Rutherford	" 8, 1882	G	304
Real Estate Bank of Nashville.....	Davidson	" 12, 1882	G	305
Veterinary Medicine Company	Davidson	" 12, 1882	G	308
Miami Oil Works Company	Shelby	" 12, 1882	G	310
King's Point Building and Improvement Company	Hamilton	" 15, 1882	G	312
American Marriage Aid Association.....	Hardeman	" 15, 1882	G	317
Capital Building Union.....	Davidson	" 15, 1882	G	321
Valley Oil Mills.....	Shelby	" 17, 1882	G	323
Chickasaw Coopers Company.....	Shelby	" 17, 1882	G	325
Southwestern Aid Association.....	Lauderdale	" 19, 1882	G	328
Oak Grove Cemetery Association.....	Greene	" 24, 1882	G	329
Waverly Annuity Association.....	Humphreys	" 25, 1882	G	332
West Tennessee Marriage Association.....	Carroll	" 25, 1882	G	333
Knoxville Water Company.....	Knox	" 27, 1882	G	335
Children's Christian Association of the Methodist Episcopal Church in the United States of America	Lawrence	Aug. 8, 1882	G	337
Tennessee Benevolent Benefit Guild.....	Shelby	" 10, 1882	G	338
Rock City Daily Association.....	Davidson	" 11, 1882	G	341
Co-operative Mutual Annuity Association.....	Carroll	" 28, 1882	G	343
Southern Benevolent Society.....	Madison	" 29, 1882	G	345
Banner Daily Association.....	Davidson	" 31, 1882	G	347
Matrimonial Dowry Association.....	Gibson	Sept. 1, 1882	G	349
Lookout Daily Association.....	Hamilton	" 2, 1882	G	351
Queen's Marriage Association.....	Shelby	" 2, 1882	G	353
U. S. Daily Matrimonial Association.....	Hardeman	" 4, 1882	G	356
People's Annual Dividend Association.....	Carroll	" 4, 1882	G	358
Factors' Fire Insurance Company.....	Shelby	" 5, 1882	G	360
Missouri Furniture Company (increased stock).....	Obion	" 6, 1882	G	363
People's Co-operative Saving Association.....	Madison	" 9, 1882	G	365
Humboldt Mutual Fire Insurance Company.....	Gibson	" 11, 1882	G	367
Garden City Daily Aid.....	Madison	" 12, 1882	G	369
Four Months Self Endowment Association.....	Gibson	" 16, 1882	G	371
Duck River Valley Turnpike Company.....	Bedford	" 16, 1882	G	374
Republic Daily Aid Association.....	Hamilton	" 18, 1882	G	375
Gilt Edge Day Marriage Association.....	Hardeman	" 18, 1882	G	377
Gilt Edge Marriage Daily Association.....	Madison	" 20, 1882	G	379
IXL Marriage Daily Association.....	Madison	" 20, 1882	G	382
Nashville and Edgefield Street Railroad Company (amendment).....	Davidson	" 20, 1882	G	385
Jellico Mountain Coal and Coke Mining and Transportation Company.....	Davidson	" 22, 1882	G	387
Crockett Birthday Association.....	Madison	" 23, 1882	G	391
Crooked Creek Coal Company.....	Campbell	" 25, 1882	G	393
Memphis Security Marriage Aid Society.....	Shelby	" 26, 1882	G	395
People's Mutual Life Insurance Order.....	Warren	" 29, 1882	G	398
Acme Academy.....	Franklin	Oct. 3, 1882	G	400
Economical Birthday and Marriage Anniversary Association.....	Davidson	" 4, 1882	G	403
Golden Leaf Daily Aid Association (amendment).....	Davidson	" 4, 1882	G	406
Mississippi Valley Birthday Marriage Anniversary Association.....	Obion	" 16, 1882	G	407
Miami and Treasure Hill Gold and Silver Mining Company (amendment).....	Davidson	" 27, 1882	G	412
Sandusky Wheel Company.....	Davidson	" 29, 1882	G	414
Richland Academy.....	Marshall	Dec. 5, 1882	G	416
Merchants' Cotton Press and Storage Company.....	Shelby	" 5, 1882	G	418
Gayoso Hotel Company.....	Shelby	Aug. 16, 1882	G	420
Nashville Woolen Mills Company.....	Davidson	" 20, 1882	H	0
Hot Water Mining Company.....	Bredley	" 29, 1882	H	1

NAME OF INCORPORATION.	County where Registered.	When registered in Secretary of State's Office	In what Book.	No. of Page.
Hickman, Madrid and Cairo Transportation Company.....	Davidson.....	Sept. 7, 1882	H	4
Miller Davidson Furniture Company.....	Davidson.....	" 7, 1882	H	5
Tennessee Ridge Manufacturing Company.....	Houston.....	" 11, 1882	H	6
Memphis Daily Nuptial Association.....	Shelby.....	" 11, 1882	H	7
Chattanooga Democrat Company.....	Hamilton.....	" 12, 1882	H	8
Brush Electric Light and Power Company.....	Knox.....	" 12, 1882	H	9
National Fertilizer Company.....	Davidson.....	Jan. 16, 1882	G	50
Marion Building Society.....	Marion.....	" 24, 1882	G	52
Chattanooga Iron Company (amendment).....	Hamilton.....	" 26, 1882	G	54
Chesapeake and Southern Railroad Company (agreement of consolidation).....	Obion.....	" 28, 1882	G	55-
Nashville Homestead Building Association.....	Davidson.....	Feb. 2, 1882	G	62
Black Diamond Coal Company.....	Knox.....	" 3, 1882	G	67
James and Graham Wilson Company.....	Shelby.....	" 3, 1882	G	70
Memphis Telephone and Electric Company.....	Shelby.....	" 8, 1882	G	73
Brush Electric Light and Power Company (Memphis).....	Shelby.....	" 9, 1882	G	77
Drouillard Iron Company.....	Davidson.....	" 9, 1882	G	80
Royal Grand Lodge of the Young Men's Progress of the World.....	Lincoln.....	" 9, 1882	G	83
Finley Institute.....	Dyer.....	" 11, 1882	G	86
Milburn Iron Works.....	Shelby.....	" 15, 1882	G	89
Oneida Coal Company.....	Scott.....	" 18, 1882	G	92
Knoxville Cotton Mills.....	Knox.....	" 18, 1882	G	95
Chrisman Mill Turnpike Company.....	Williamson.....	" 21, 1882	G	98
Memphis Saddlery and Oak Leather Tanning Company.....	Shelby.....	" 21, 1882	G	103
Nashville Carriage and Buggy Company.....	Davidson.....	" 24, 1882	G	105
Winter's Gap Coal and Coke Company.....	Knox.....	Mar. 2, 1882	G	108
Poplar Creek Mining Company.....	Knox.....	" 2, 1882	G	111
Coal Creek Mining Company.....	Anderson.....	" 4, 1882	G	115
Dyersburg Building and Saving Association.....	Dyer.....	" 6, 1882	G	118
Market Square Street Railroad Company.....	Knox.....	" 10, 1882	G	122
Chattanooga Foundry and Pipe Company.....	Hamilton.....	" 10, 1882	G	125
Murfreesboro Oil Company.....	Rutherford.....	" 11, 1882	G	128
Spring Place and Cornersville Turnpike Company.....	Marshall.....	" 15, 1882	G	130-
Columbia Gas Company.....	Maury.....	" 18, 1882	G	135
Ebenezer Academy.....	Sumner.....	" 18, 1882	G	138
Nashville Medicine Company.....	Davidson.....	" 20, 1882	G	140
Pulaski Elkton Turnpike Company.....	Giles.....	" 23, 1882	G	142
Rogersville Bank.....	Hawkins.....	" 23, 1882	G	148
Lima and East Tennessee Marble Company.....	Knox.....	" 24, 1882	G	151
Irving College.....	Warren.....	" 28, 1882	G	154
Tennessee Coal, Iron and Railroad Company (increased stock).....	Davidson.....	" 31, 1882	G	156
Enterprise Milling and Manufacturing Company.....	Shelby.....	" 31, 1882	G	158
Line Street and Watkins' Park Street Railroad (amendment).....	Davidson.....	April 5, 1882	G	161
Chineby and West Point High School.....	Lawrence.....	" 7, 1882	G	163
Robert H. Howell & Co.....	Davidson.....	" 8, 1882	G	166
Dyer County Fair Association.....	Dyer.....	" 5, 1882	G	169
Southern Lumberman Publishing and Mailing Company.....	Wilson.....	" 17, 1882	G	171
Knoxville Marriage Benefit Association.....	Knox.....	" 17, 1882	G	173
Mission Ridge Manufacturing Company.....	Hamilton.....	" 17, 1882	G	175
Southern Mutual Benefit Association.....	Davidson.....	" 19, 1882	G	178
Milligan College.....	Carter.....	May 1, 1882	G	180
Columbia Homestead Building Association.....	Maury.....	April 21, 1882	G	183
Hawkins County Marble Company.....	Hawkins.....	" 26, 1882	G	187
Bluff City Distilling Company.....	Shelby.....	May 2, 1882	G	189
Co-operative Mutual Annuity Association.....	Carroll.....	" 3, 1882	G	191
Cherry Street and Sulphur Spring Street Railroad Company.....	Davidson.....	" 5, 1882	G	193
Nashville Co-operative Association.....	Davidson.....	" 8, 1882	G	196
Board of Education of the Cumberland Presbyterian Church.....	Davidson.....	" 8, 1882	G	197
Chattanooga Steel Works.....	Hamilton.....	" 9, 1882	G	199
Chattanooga Mutual Aid Association.....	Hamilton.....	" 10, 1882	G	201
Jackson Mutual Aid Association.....	Madison.....	" 13, 1882	G	203
Cleveland Hub and Spoke Company.....	Bradley.....	" 15, 1882	G	206

NAME OF INCORPORATION.	County where Registered.	When registered in Secretary of State's Office	In what Book.	No. of Page.
Nashville and Evansville Packet Company.....	Davidson	May 16, 1882	G	208
Nashville and Cairo Packet Company.....	Davidson	" 16, 1882	G	210
German Evangelical Protestant Church.....	Shelby	" 17, 1882	G	212
Nemo Academy.....	Morgan	" 18, 1882	G	215
Swansea Hope Academy.....	Lewis	" 18, 1882	G	217
Memphis Commercial Travelers' Association...	Shelby	" 19, 1882	G	219
Fall Mills Manufacturing Company.....	Franklin.....	" 20, 1882	G	222
Rockdale Manufacturing Company.....	Davidson	" 20, 1882	G	224
Alabama and Tennessee Coal and Iron Company	Davidson	" 23, 1882	G	228
Cradle Gift Association.....	Madison	" 25, 1882	G	230
Tennessee Colored Marriage Association.....	Madison	" 26, 1882	G	232
Globe Oil and Fertilizing Company.....	Shelby	June 1, 1882	G	234
Union Stock-yards and Slaughter-house Com- pany.....	Shelby	" 1, 1882	G	236
Marcella Falls Wooden Mill.....	Lawrence	" 2, 1882	G	239
Marriage Gift Association.....	Shelby	" 6, 1882	G	242
Colored Citizens' Cotton Manufacturing Com- pany.....	Davidson	" 7, 1882	G	244
West Tennessee Matrimonial Mutual Aid So- ciety (amendment).....	Madison	" 7, 1882	G	247
Associated Charities of Chattanooga.....	Hamilton	Jan. 10, 1882	E	151
Nashville College for Young Ladies.....	Davidson	Feb. 8, 1882	E	152
H. A. Louis Institute.....	Knox.....	Jan. 16, 1882	E	153
Chitwood Academy.....	Scott	" 19, 1882	E	154
Grand Stary Lodge of Good Fathers.....	Rutherford..	" 30, 1882	E	155
Cashville Academy.....	Shelby	Feb. 2, 1882	E	156
Pleasant Grove Church and Academy School...	Morgan	" 16, 1882	E	157
Pastime Social Club.....	Shelby	" 21, 1882	E	158
Board of Trade of Chattanooga.....	Hamilton	" 24, 1882	E	159
Nashville Sick and Accident Mutual Benefit Association.....	Davidson	" 24, 1882	E	160
West Tennessee Company.....	Henry.....	" 27, 1882	E	161
Baptist State Convention of Tennessee.....	Davidson	March 2, 1882	E	162
Supreme Council United Order of Columbia...	Knox.....	" 11, 1882	E	163
United Daughters of Zion of the State of Ten- nessee No. 1.....	Henry.....	" 13, 1882	E	164
Lauderdale Institute.....	Lauderdale..	April 12, 1882	E	165
Natal League of America.....	Davidson	" 12, 1882	E	166
Henry Male and Female Academy.....	Henry.....	" 15, 1882	E	167
Financial Board of the African Methodist Epis- copal Church in America.....	Davidson	" 21, 1882	E	168
Matrimonial Security Association.....	Shelby	" 24, 1882	E	169
Nuptial Benefit Association.....	Haywood	" 29, 1882	E	170
Concord Incorporation.....	Sullivan.....	" 29, 1882	E	171
Bridal and Natal Gift Society.....	Haywood	" 2, 1882	E	172
Cottage Grove Male and Female Academy.....	Henry.....	May 3, 1882	E	173
Oak Ridge Seminary.....	Robertson..	" 6, 1882	E	174
National Matrimonial Alliance.....	Davidson	" 16, 1882	E	175
Southern Marriage Benefit Association.....	Gibson.....	" 24, 1882	E	176
Trinity Mutual Benefit Association.....	Davidson	" 30, 1882	E	177
Tennessee Matrimonial Association.....	Davidson	" 31, 1882	E	178
Brookvale Angling Club.....	Davidson	June 2, 1882	E	179
Hermitage Birth and Marriage Guild.....	Davidson	" 8, 1882	E	180
Capitol Matrimonial Association.....	Davidson	" 10, 1882	E	181
Bell's Seminary.....	Crockett	" 10, 1882	E	182
Social Benevolent Society No. 1.....	Lauderdale..	" 14, 1882	E	183
Equitable Aid Association.....	Hardeman ..	" 14, 1882	E	184
Equitable Endowment Marriage Association...	Shelby	" 14, 1882	E	185
Paris Home Endowment Association.....	Henry.....	" 15, 1882	E	186
Mt. View School House.....	Davidson	" 16, 1882	E	187
Volunteer State Self Endowment Association...	Dyer.....	July 27, 1882	E	230
Middle Tennessee Marriage Association.....	Giles.....	" 28, 1882	E	231
Central Marriage Association.....	Giles.....	" 28, 1882	E	232
Mutual Aid and Benevolent Association of the United States.....	Davidson	" 29, 1882	E	234
Williamsburg Academy.....	McMinn.....	" 29, 1882	E	235
Southern Mutual Benefit Association.....	Davidson	" 31, 1882	E	236
Matrimonial Daily Aid Association.....	Davidson	" 31, 1882	E	237
Tennessee Nuptial Union.....	Gibson.....	Aug. 1, 1882	E	238
Bluff City Self Endowment Association.....	Shelby.....	" 1, 1882	E	239
Daughters of Zion.....	Knox.....	" 2, 1882	E	240
Tennessee Marriage Union.....	Shelby.....	" 4, 1882	E	241

NAME OF INCORPORATION.	County where Registered.	When registered in Secretary of State's Office	In what Book.	No. of Page.
National Cooperative Building Association.....	Davidson.....	Aug. 3, 1882	E	242
Stone's River Matrimonial Association.....	Rutherford...	5, 1882	E	243
West Tennessee Annual Self Endowment Association.....	Gibson.....	7, 1882	E	244
Peoples Cooperative Aid Association.....	Davidson.....	7, 1882	E	245
Royal Benefit Association.....	Davidson.....	7, 1882	E	246
Matrimonial Endowment Association.....	Shelby.....	7, 1882	E	247
Home Building and Endowment Association.....	Davidson.....	8, 1882	E	248
Peoples Marriage and Endowment Association.....	Davidson.....	9, 1882	E	249
Memphis Marriage Union.....	Shelby.....	10, 1882	E	250
Bridal Wreath Marriage Association.....	Coffee.....	10, 1882	E	251
Mutual Aid Union.....	Coffee.....	10, 1882	E	252
Security Endowment Association.....	Davidson.....	11, 1882	E	253
Boniface Guild.....	Davidson.....	11, 1882	E	254
Bridal Veil Daily Association.....	Giles.....	11, 1882	E	255
Safety Fund Cooperative Association.....	Davidson.....	12, 1882	E	257
Central Benefit Association.....	Obion.....	12, 1882	E	258
Mutual Marriage Aid Union.....	Hardeman.....	12, 1882	E	259
Southern Mutual Benefit Association.....	Davidson.....	12, 1882	E	260
Tennessee Central Marriage Association.....	Rutherford.....	12, 1882	E	261
National Marriage Association.....	Giles.....	18, 1882	E	262
National Furniture Gift Association.....	Shelby.....	28, 1882	E	263
Murfreesboro Marriage Association.....	Rutherford.....	28, 1882	E	264
Wartrace Nuptial Union.....	Bedford.....	28, 1882	E	265
Widow's Home.....	Perry.....	28, 1882	E	267
Workingman's Mutual Relief Association.....	Davidson.....	28, 1882	E	268
Climax Matrimonial Association.....	Davidson.....	30, 1882	E	269
Old Hickory Endowment Association.....	Davidson.....	30, 1882	E	270
Free Home Association.....	Giles.....	30, 1882	E	271
Eureka Cooperative Association.....	Davidson.....	31, 1882	E	272
Colored Citizens Mutual Benefit Association.....	Davidson.....	June 17, 1882	E	188
Chattanooga Nuptial Union.....	Hamilton.....	17, 1882	E	189
Eureka Nuptial Association.....	Gibson.....	17, 1882	E	190
Helping Hand Mutual Aid Society.....	Haywood.....	19, 1882	E	191
Oregon Academy.....	Lineoln.....	21, 1882	E	192
Rock City Matrimonial Endowment and Security Association.....	Davidson.....	22, 1882	E	193
Bluff City Marriage Union.....	Shelby.....	22, 1882	E	194
Colored Marriage Aid Association.....	Haywood.....	23, 1882	E	195
Greenville Academy.....	Greene.....	26, 1882	E	196
Shelbyville Birth and Marriage Association.....	Bedford.....	26, 1882	E	197
Vanderbilt Nuptial League.....	Davidson.....	26, 1882	E	198
Matrimonial Aid Association.....	Shelby.....	27, 1882	E	199
Southern Matrimonial Association.....	Davidson.....	28, 1882	E	200
Cupid's Messenger.....	Davidson.....	29, 1882	E	201
Orange Blossom Mutual Aid Association.....	Davidson.....	30, 1882	E	202
Waldron Guards.....	Shelby.....	30, 1882	E	203
Universal Protection Alliance.....	Davidson.....	July 5, 1882	E	204
True Basis Marital Association.....	Williamson.....	1, 1882	E	20
Supreme Institute of the Teachers Mutual Benefit Association.....	Davidson.....	1, 1882	E	206
Equitable Cooperative Building Association.....	Davidson.....	3, 1882	E	207
Continental Marriage Natal Association.....	Davidson.....	5, 1882	E	208
Memphis Mutual Aid Society.....	Shelby.....	11, 1882	E	209
Nuptial Aid Society.....	Dyer.....	6, 1882	E	210
Mason Hall Academy.....	Obion.....	7, 1882	E	211
Cumberland Trust Mutual Aid Society.....	Davidson.....	8, 1882	E	212
Memphis Jockey Club.....	Shelby.....	10, 1882	E	213
Tennessee Self Endowment Association.....	Madison.....	11, 1882	E	214
Chickasaw Matrimonial Association.....	Shelby.....	11, 1882	E	215
Mutual Aid Association.....	Gibson.....	12, 1882	E	216
Matrimonial Aid Association.....	Shelby.....	13, 1882	E	217
Nashville Endowment Association.....	Davidson.....	13, 1882	E	218
Southern Live Stock Security Company.....	Shelby.....	15, 1882	E	219
Knoxville Endowment Association.....	Knox.....	17, 1882	E	220
Colored Marriage Aid Association.....	Shelby.....	17, 1882	E	221
Eureka Mutual Aid Association.....	Montgomery.....	18, 1882	E	222
Columbia Matrimonial Union.....	Mauzy.....	18, 1882	E	223
United Sons of Zion No. 1.....	Shelby.....	18, 1882	E	224
Nashville Marriage Union.....	Davidson.....	18, 1882	E	225
Southern Mutual Benefit Association.....	Hamilton.....	19, 1882	E	226
Cumberland Marriage and Birth Association.....	Davidson.....	20, 1882	E	227
Star Marriage Association.....	Haywood.....	20, 1882	E	228

NAME OF INCORPORATION.	County where Registered.	When registered in Secretary's Office	In what Book.	No. of Page.
Pulaski Nuptial Union.....	Giles.....	July 20, 1882	E	229
Legal Daily Matrimonial Association.....	Davidson.....	Sept. 7, 1882	E	314
Merchants and Mechanics Mutual Aid Association.....	Davidson.....	" 7, 1882	E	315
Golden Rule Matrimonial Association.....	Davidson.....	" 7, 1882	E	316
Excelsior and Endowment Association.....	Davidson.....	" 7, 1882	E	317
Southern Queen Marriage Association.....	Giles.....	" 7, 1882	E	318
Atlantic Matrimonial Association.....	Davidson.....	" 8, 1882	E	319
Cooperative Endowment Association.....	Shelby.....	" 8, 1882	E	320
Victoria Daily Matrimonial Association.....	Shelby.....	" 9, 1882	E	321
Daily Marriage Union.....	Madison.....	" 9, 1882	E	322
Daily Sunrise Matrimonial Association.....	Davidson.....	" 9, 1882	E	323
Imperial Matrimonial Association.....	Davidson.....	" 9, 1882	E	324
Laborers Cooperative Building and Endowment Association.....	Davidson.....	" 9, 1882	E	325
Southern Confederacy of Benedicts and Brides.....	Lincoln.....	" 9, 1882	E	326
Security Homestead Endowment Association.....	Davidson.....	" 9, 1882	E	327
Sterling Daily Aid Association.....	Davidson.....	" 9, 1882	E	328
Golden Leaf Daily Aid Association.....	Davidson.....	" 9, 1882	E	329
Property Protection Association.....	Davidson.....	" 9, 1882	E	330
Daily Security Aid Association.....	Maury.....	" 9, 1882	E	331
American Marriage Union.....	Davidson.....	" 9, 1882	E	332
Globe Daily Marriage Association.....	Davidson.....	" 9, 1882	E	333
Springfield Marriage Endowment and Birthday Mutual Association.....	Robertson.....	" 9, 1882	E	334
Property Owners Mutual Benefit Association.....	Shelby.....	" 9, 1882	E	335
Imperial Daily Aid Association.....	Shelby.....	" 9, 1882	E	337
Home Daily Matrimonial Association.....	Davidson.....	" 11, 1882	E	338
Etna Endowment Association.....	Davidson.....	" 11, 1882	E	339
Matrimonial Minute Payment Association.....	Shelby.....	" 11, 1882	E	340
Nuptial Guild.....	Maury.....	" 12, 1882	E	341
Tennessee State Aid Association.....	Shelby.....	" 12, 1882	E	342
Tennessee Daily Endowment.....	Shelby.....	" 12, 1882	E	343
Benefactors' Union.....	Shelby.....	" 12, 1882	E	344
Spot Cash Marriage and Birthday Benefit Association.....	Sumner.....	" 12, 1882	E	345
Climax Daily Union.....	Shelby.....	" 13, 1882	E	346
Matrimonial Bank Account Association.....	Shelby.....	" 13, 1882	E	347
Silver Leaf Daily Marriage Association.....	Shelby.....	" 15, 1882	E	348
Daily Matrimonial Association.....	Shelby.....	" 16, 1882	E	349
Union City National Matrimonial Association.....	Obion.....	" 16, 1882	E	350
Giles County Nuptial Company.....	Giles.....	" 16, 1882	E	351
Gold Basis Daily Matrimonial and Birthday Association.....	Sumner.....	" 16, 1882	E	352
Railroad Marriage Union of the United States.....	Shelby.....	Aug. 31, 1882	E	273
Mississippi Valley Annuity Association.....	Obion.....	" 31, 1882	E	274
Perfection Benefit Association.....	Davidson.....	" 31, 1882	E	275
Tennessee Co-Operative Association.....	Davidson.....	" 31, 1882	E	276
Perpetual Co-Operative Benefit Association.....	Davidson.....	" 31, 1882	E	277
Bolivar Day Guild.....	Hardeman.....	" 31, 1882	E	278
Columbia Mutual Endowment Association.....	Maury.....	Sept. 1, 1882	E	279
Crown Endowment Society.....	Haywood.....	" 1, 1882	E	280
Young Men's Hebrew Association.....	Shelby.....	" 1, 1882	E	281
Lawrenceburg High School.....	Lawrence.....	" 1, 1882	E	282
DeSoto Marriage Aid Association.....	Shelby.....	" 1, 1882	E	283
Duck River Self-Endowment Association.....	Bedford.....	" 1, 1882	E	284
Southern Equitable Endowment Association.....	Giles.....	" 1, 1882	E	285
Murfreesboro Endowment Union.....	Rutherford.....	" 1, 1882	E	286
Young Ladies Protective Association.....	Davidson.....	" 2, 1882	E	287
Daily Marriage Association.....	Shelby.....	" 4, 1882	E	288
Daily Marriage Bell Association.....	Shelby.....	" 4, 1882	E	289
Golden Connubial Society.....	Shelby.....	" 4, 1882	E	290
American Order of Mutual Friends.....	Gibson.....	" 4, 1882	E	291
Tennessee Life and Nuptial Union.....	Knox.....	" 4, 1882	E	293
Daily Cash Marriage Association.....	Shelby.....	" 4, 1882	E	294
Pulaski Marriage Association.....	Giles.....	" 4, 1882	E	295
Southern Endowment Union.....	Davidson.....	" 4, 1882	E	297
Southern Benefit Association.....	Davidson.....	" 5, 1882	E	298
Old Hickory Mutual Endowment Association.....	Davidson.....	" 5, 1882	E	299
Union Benefit Association.....	Davidson.....	" 5, 1882	E	300
Metropolitan Daily Marriage Association.....	Davidson.....	" 5, 1882	E	801
Universal Protective Alliance.....	Davidson.....	" 6, 1882	E	303
Advance Daily.....	Davidson.....	" 6, 1882	E	304

NAME OF INCORPORATION.	County where Registered.	When registered in Secretary of State's Office	In what Book.	No. of Page.
Stone's River Endowment Association.....	Rutherford.....	Sept. 6, 1882	E	305
Tennessee Daily Nuptial Association.....	Davidson	" 6, 1882	E	306
Bridal Altar Mutual Aid Association.....	Giles	" 6, 1882	E	307
Volunteer State Nuptial Aid Association.....	Davidson	" 6, 1882	E	309
Heart and Hand Marriage Club.....	Davidson.....	" 6, 1882	E	310
East Tennessee Mutual Fire Insurance Company.....	Knox.....	" 7, 1882	E	311
Eagle Daily Matrimonial Association.....	Davidson.....	" 7, 1882	E	312
Stonewall Daily Marriage Association.....	Davidson.....	" 7, 1882	E	313
Cumberland Railway Company.....	Hamblen.....	May 2, 1882	F	9
Kingston & Cleveland Railway Company.....	Roane.....	25, 1882	F	10
Pulaski & Brick Church Turnpike Company.....	Giles	July 20, 1882	F	11
Pulaski, Bradshaw & Fayetteville Turnpike Company.....	Giles	Aug. 8, 1882	F	12
Pulaski & Vale Mills Turnpike Company.....	Giles	" 8, 1882	F	13
Pulaski & Anthony's Hill Turnpike Company.....	Giles	" 23, 1882	F	14
Nashville Belt Railway Company.....	Davidson	Sept. 4, 1882	F	15
Cincinnati Southern Coal Company.....	Hamilton	" 7, 1882	F	16
Brownsville & Jackson Railroad Company.....	Haywood	" 8, 1882	F	17
Coal Creek & Winter's Gap Railroad Company.....	Anderson	Oct. 2, 1882	F	18
Tennessee River & Ooltawah Railroad Co.....	Roane	" 18, 1882	F	19
Somerville & Jackson Railroad.....	Madison.....	" 13, 1882	F	20
Tennessee Iron Mountain & Carolina Railroad Company.....	Washington.....	" 16, 1882	F	21
Lebanon & Coal's Ferry Turnpike Company.....	Wilson	Nov. 6, 1882	F	22
Griffiths Creek, Coal & Railway Company.....	Marion	" 8, 1882	F	23
Sweetwater Tallico Railway Company.....	Monroe	" 15, 1882	F	24
Fayetteville & Columbia Turnpike Company.....	Lincoln	Dec. 21, 1882	F	25
Sparta & Cincinnati Railroad Company.....	White	" 26, 1882	F	26
Tullahoma Hotel Company.....	Coffee	" 9, 1881	G	1
Rose Mount Cemetery.....	Mauzy	" 9, 1881	G	2
Brush Creek Academy.....	Washington.....	" 10, 1881	G	5
East Chattanooga Iron & Coal Company.....	Hamilton	" 12, 1881	G	7
Chattanooga Stove Company.....	Hamilton	" 12, 1881	G	10
Spring Hill Male College.....	Mauzy	" 22, 1881	G	12
Bar Association of the State of Tennessee.....	Davidson	" 23, 1881	G	14
Mauzy Mining & Manufacturing Company.....	Mauzy	" 30, 1881	G	18
Catalba Grove Institute.....	Marshall	" 30, 1881	G	21
Wingard Calorific Kiln and Dryer Company.....	Davidson	" 31, 1881	G	23
Gibson Station Male and Female Academy.....	Gibson	Jan. 2, 1881	G	28
Gibson Male and Female Academy.....	Gibson	" 2, 1881	G	30
Knoxville Water Company.....	Knox	" 4, 1881	G	34
Cedar Chapel Academy.....	Hardeman	" 6, 1881	G	38
Liberty Gap & Christiana Turnpike Company.....	Rutherford.....	" 7, 1881	G	38
Nashville Fire and Marine Insurance Company.....	Davidson	" 11, 1881	G	46
Perpetual Birthday and Marriage Anniversary Gift Association.....	Davidson	Oct. 4, 1882	I	74
Columbia's Jewel.....	Mauzy	" 4, 1882	I	75
Champion Benefit Association.....	Rutherford	" 4, 1882	I	76
Excelsior Birthday and Wedding Anniversary.....	Lincoln	" 5, 1882	I	77
Shelby Academy.....	Shelby	" 5, 1882	I	78
Home Endowment and Birthday Association.....	Obion	" 5, 1882	I	79
Masonic Library Association.....	Davidson	" 5, 1882	I	80
Mollie Bawn Matrimonial, Birthday and Anniversary Association.....	Davidson	" 5, 1882	I	81
Mechanics' Union.....	Davidson	" 6, 1882	I	82
Combination Birthday and Marriage Anniversary Association.....	Davidson	" 7, 1882	I	83
Royal Birthday Association.....	Hamilton	" 7, 1882	I	84
Enterprise Marriage Association.....	Giles	" 11, 1882	I	85
Centerville Academy.....	Gibson	" 14, 1882	I	86
Equitable Marriage, Birthday and Wedding Anniversary Association.....	Davidson	" 17, 1882	I	87
Nashville Humane Society.....	Davidson.....	" 17, 1882	I	88
Life and Death Benefit Company.....	Davidson.....	" 17, 1882	I	89
Chapel Hill Co-operative Association, No. 242.....	Chester.....	" 24, 1882	I	90
Columbia Jersey Cattle Company.....	Mauzy	" 25, 1882	I	91
Mont Eagle Sunday school Assembly.....	Grundy	" 31, 1882	I	92
Sisters' Immaculate Association.....	Davidson	Nov. 9, 1882	I	93
Golden City Birthday Association.....	Davidson	" 9, 1882	I	94
First Baptist Church.....	Davidson	" 16, 1882	I	95
Daughters' of Zion.....	Rutherford.....	" 16, 1882	I	96
Grnad United Order of Bank Men.....	Gibson.....	" 21, 1882	I	97

NAME OF INCORPORATION.	County where Registered.	When registered in Secretary of State's Office	In what Book.	No. of Page.
United Sons and Daughters of Zion.....	Shelby	Nov. 22, 1882	I	98
Cloars' High School.....	Obion.....	" 25, 1882	I	99
Chester Co-operative Association, No. 179.....	Chester.....	" 28, 1882	I	100
Bolivar Theater Company.....	Hardeman ..	" 29, 1882	I	101
National Matrimonial Life Association.....	Davidson.....	" 29, 1882	I	102
Forty-third Institute	Putnam	Dec. 4, 1882	I	103
Gupton School House.....	Cheatham.....	" 12, 1882	I	104
Memphis Fertilizer Company.....	Shelby	Jan. 2, 1882	H	46
Woodruff Lumber Company.....	Shelby	" 2, 1882	H	47
Iron Mountain Land and Mining Company.....	Davidson ..	" 2, 1882	H	48
Chickasaw Refining Company.....	Shelby	" 2, 1882	G	424
Chronicle Company.....	Knox	" 3, 1882	H	49
Nashville Furniture Company.....	Davidson ..	" 3, 1882	H	50
Light, Truth and Laboring Society.....	Haywood.....	" 4, 1882	I	105
Troutt's Academy.....	Sumner.....	" 9, 1882	I	107
Bohlen Huse Machine and Lake Ice Company..	Shelby	" 4, 1882	H	51
Tennessee Immigration and Real Estate Association.....	Davidson ..	" 8, 1882	H	52
Nashville & Tennessee River Packet Company.	Davidson ..	" 9, 1882	H	53
Dyersburg Oil and Manufacturing Company.....	Dyer.....	" 10, 1882	H	54
Memphis Merchants' Exchange.....	Shelby	" 8, 1882	G	425

INDEX.

INDEX TO ACTS.

INDEX.	Chap.	Sec.	Page.
A			
Abortions, to punish criminal.....	140	1-2	188
Academy, Bell's Depot, to authorize sale of property of.....	208	1	286
" Fulton, to provide for sale of	60	1	60
" Linden, for the benefit of.....	150	1-2	201
" Macon County, to amend Act of December 4, 1843, establishing.....	73	1-3	69
" Palmetto, for the benefit of citizens in vicinity of...	161	1-3	210
" Stephenson, to amend an Act to incorporate.....	176	1	250
" Zion Female, to amend an Act in relation to, passed May 23, 1866.....	176	2	250
Administration, letters of, to define the powers of County Courts in granting to Public Administrators.....	108	1	136
Agricultural and Mechanical Association, West Tennessee, to issue bonds to pay off their indebtedness.....	153	1-2	204
Akers, Albert, for the relief of.....	31	1	37
Aldridge, John, for the relief of.....	256	1	340
Appropriation, to defray expenses of Forty-third General As- sembly.....	259		
Assessments, to provide more equitable laws for.....	105	1-88	103-27
Assessors, board of; to create, to assess property for municipal purposes in towns of not less than eight nor more than twenty thousand.....	115	1-5	160
Asylum, Insane, to erect in Eastern Division of Tennessee.....	145	106	195-97
B			
Byrd, Thomas W., for the relief of.....	147	1	198
Ballard, J. M., for benefit of.....	99	1	97
Bank of Tennessee, to provide for redemption of notes of.....	104	1-10	100
Banks, insolvent, to receive money on deposit declared to be a felony.....	131	1	178
Billiard, Bagatelle or Pool tables, to prevent owners of, per- mitting minors to play thereon.....	136	1	183
Births, Marriages and Deaths, to repeal an Act to provide for the registration of.....	160	1	209
Bonds, City of Nashville may issue for certain purposes.....	206	1	285
" Counties of Trousdale and Macon to issue for certain purposes.....	189	1	262
" to allow county of Sullivan to issue for building a turn- pike.....	172	1-8	244
" to authorize municipal corporations and taxing dis- tricts to issue to settle indebtedness.....	170	1-20	224
" municipal corporations to issue in certain cases.....	252	1-5	332

INDEX.	Chap.	Sec.	Page.
Bonds, to repeal Act of March 19, 1882, to pay interest on 60-6..	4	1	7
Bristol and North Carolina Railway Company, to enlarge powers of, and change name.....	185	1	258
Brands, to prohibit obliteration of, on saw-logs.....	223	1	301
Brokerage Association, tax on.....	196	2	269
Bucket shops, tax on.....	196	2	269
C			
Challenges, criminal, to amend Act of March, 1875, to lessen ...	19	1	24
Charters, granted by Chancery Courts, or under Act of March 23, 1875, may be amended.....	163	1	212
Charters, municipal, to amend in relation to term of office of mayor and aldermen.....	134	1	181
CHARTERS REPEALED OR AMENDED.			
Alamo, Crockett county, repealed.....	67	1	65
Alexandria, repealed.....	28	1	33
Ashland City, amended.....	68	1	65
Ashland City, repealed.....	219	1	296
Atoka, Tipton county, repealed.....	76	2	71
Berlin, repealed.....	211	1	290
Bigbyville, Maury county, repealed.....	157	1	207
Chattanooga, amended.....	234	1-12	312
Chestnut Mound, amended.....	68	1	65
Clarksburg, Carroll county.....	3	1	6
Cornersville, repealed.....	212	1	291
Decaturville, Decatur county, repealed.....	80	1	74
Denmark, Madison county, repealed.....	197	1	270
Dickson, Dickson county, repealed.....	92	1	91
Eaton, Gibson county, repealed.....	72	1	69
Elkton, repealed.....	91	1	91
Fayetteville, amended.....	110	1	137
Gadsden, repealed.....	218	1	295
Gallatin, amended.....	228	1	06
George's Store, Lincoln county, repealed.....	75	1	71
Goodlettsville, Davidson county, repealed.....	74	1	70
Henry Station, Henry county, repealed.....	241	1	323
Huntingdon, amended.....	30	1-5	35
Lewisburg, repealed.....	202	1	281
Lexington, repealed.....	79	1	73
Linden, repealed.....	69	1	67
Livingston, amended.....	68	1	65
Lynnville Station, Giles county, repealed.....	187	1	260
Manchester, repealed.....	205	1	284
Memphis, amended.....	78	1	73
Mt. Pleasant, repealed.....	214	1	292
Newport Depot, repealed.....	64	1	63
Paris, amended.....	258	1	344
Portersville, Tipton county, repealed.....	76	1	71
Ripley, amended.....	119	1	164
Santa Fe, repealed.....	26	1	32
Saulsberry, amended.....	68	1	65
Smithville, repealed.....	27	1-2	32
Spring Creek, Madison county, repealed.....	70	1	67
Spring Hill, repealed.....	210	1	289
Troy, repealed.....	120	1	165

INDEX.	Chap.	Sec.	Page.
CHARTERS REPEALED OR AMENDED.			
Wetmore, repealed.....	117	1	163
White Bluff, Dickson county, repealed.....	78	1	73
Whiteville, Hardeman county, repealed.....	194	1	287
Williamsport, repealed.....	133	1	180
Winchester, Franklin county, repealed.....	63	1	62
Charters, to repeal, of municipal corporation having population of thirty-six thousand and over.....	130	1-4	176-78
Chester, county of, to allow Judge of the Chancery Court of Madison county to hold Circuit and Chancery Court in..	174	1	249
Church officers, to authorize to convey real estate.....	37	1	43
Clarksville, to allow city of, to levy a tax for school purposes, and to amend certain acts in relation thereto.....	169	1	223
Code, Section 107 <i>b</i> , Thompson & Steger, amended.....c.....	229	2	307
Code, Section 190, amended.....	182	1	256
Code, Section 468 <i>d</i> , Thompson & Steger, amended.....	108	1	136
Code, Section 2039 <i>b</i> , Thompson & Steger, amended.....	151	1	202
Code, Section 3103, amended.....	11	1	15
Code, Section 3981, amended.....	198	1	270
Code, Section 4014, amended.....	19	1	24
Code, Section 4114, amended.....	24	1	30
Code, Sections 4677 and 4683, amended.....	188	1-2	261
Coffee county, to allow an additional justice of the peace in Thirteenth Civil District of.....	61	1	61
College, Bristol Baptist, for the relief of	247	1	327
Columbia, to authorize mayor and alderman of the town of, to issue bonds, to refund.....	143	1-8	192
Commissioners, jail and workhouse, to define duties of, for Montgomery county.....	111	1-4	138
Commissioners, police, to establish for corporations of not less than five nor more than twenty thousand inhabitants.....	137	1-7	185
Congressional District, Third, to include counties of Rhea, Meigs and Cumberland in.....	237	1	319
Contracts, gaming, to declare certain contracts gaming.....	251	1-5	331
Corporations, to allow charters of, granted by Chancery Courts or under Acts of March 23, 1875, to be amended.....	163	1	212
“ to amend Act of March 19, 1875, to provide for organization of.....	22	2	27
“ to amend Act of March 19, 1875, to provide for organization of.....	39	2	45
“ to amend Act of March 23, 1875, to provide for organization of.....	142	1	191
“ to amend Act of March 19, 1875, to provide for organization of.....	144	1-2	194
“ to amend Act of March 19, 1875, to provide for the organization of.....	168	1	219
“ to amend Act of March 23, 1875, to provide for organization of.....	213	1	291
“ to amend Act of March 19, 1875, to provide for organization of.....	232	1-3	310
“ to amend Acts of 1875, Chapter 142, to provide for organization of.....	249	1	329
“ to amend Act of March 19, 1875, to provide for organization of.....	254	1-9	336
“ to provide for organization of, to furnish abstracts of titles to real estate.....	216	1	294

INDEX.	Chap.	Sec.	Page.
Corporations, to provide for organization of, for wrecking, salvage and relief of vessels.....			
" municipal, to allow to issue bonds to settle indebtedness.....	170	1-20	224
" municipal, to authorize to issue bonds in certain cases.....	252	1-5	332
" to provide for organization of, in cities of thirty-six thousand and upwards, and defining their powers, etc., where charters have been abolished.....	114	1-59	1 1-59
Cotton Weighers, to allow County courts to elect	94	1-6	92
COUNTY LINES CHANGED.			
Between Bedford and Rutherford.....	166	1	215
Between Benton and Carroll.....	55	1	57
Between Benton and Decatur.....	221	1	299
To define the change between Bledsoe and Cumberland, under Act of March 17, 1879.....	58	1	59
Between Blount and Loudon.....	217	1	294
Between Blount and Monroe.....	102	1	99
Between Carroll and Henderson.....	56	1	57
Between Carter and Unicoi.....	201	1	281
Between Cheatham and Montgomery.....	53	1	56
To change between Claiborne and Union.....	40	1	46
Between Clay and Pickett.....	122	1	166
Between Cocke and Hamblen.....	118	1	164
Between Cocke and Jefferson.....	139	1	188
To repeal section 4, Act of December 19, 1870, to change line between Coffee and Franklin, Cannon and Coffee, Giles and Lawrence, Wilson and Rutherford, Roane and Loudon.....	203	1	282
Between DeKalb and Warren.....	66	1	64
Between Dickson and Hickman.....	87	1	86
Between Dickson and Humphreys.....	93	1	92
Between Dyer and Lake.....	97	1	96
Between Franklin and Moore.....	62	1	62
Between Gibson and Crockett.....	121	1	166
Between Grainger and Union.....	129	1	176
Between Hardeman and Fayette.....	125	1	171
Between Hamilton and Sequatchie.....	82	1	76
Between Hardeman and Chester.....	41	1	47
Between Hawkins and Hamblen.....	107	1	135
Between Hawkins and Hamblen.....	159	1	208
Between Hawkins and Hancock.....	44	1	49
County Lines, to re-mark between Hawkins and Sullivan..	239	1-3	320
Between Jackson and Putnam.....	42	1	47
Between Jackson and Putnam.....	175	1	250
Between Jefferson and Sevier.....	38	1	44
Between Knox and Union.....	103	1	100
Between Marshall and Rutherford.....	124	1	170
Between Loudon and Roane.....	8	1	11
Between Maury and Hickman.....	59	1	59
Between Monroe and McMinn.....	116	1	162
Between Overton and Fentress.....	65	1	64
Between Putnam and Cumberland.....	109	1	137
Between Putnam and Jackson.....	47	1	51
Between Roane and Meigs.....	89	1	89

INDEX.	Chap.	Sec.	Page.
COUNTY LINES CHANGED.			
Between Scott, Anderson and Campbell	51	1	54
Between Scott and Campbell	100	1	98
Between Scott and Campbell	195	1	268
Between Sevier and Jefferson	54	1	56
Between Smith and Putnam	99	1-3	97
Between Tipton and Fayette and Shelby	81	1	75
Between Van Buren and Warren	244	1	325
Between White and Cumberland	45	1	49
County seats, to provide for removal of	246	1	326
Courts, to fix time for holding Circuit and Chancery in Cum- berland county	12	1	16
“ Chancery, to change time of holding in 3d division	24	1	39
“ “ to fix time of holding for 6th Chancery di- vision	224	1	302
“ “ to change time of holding in 6th division	31	1	25
“ “ to change time of holding at Brownsville	192	1	266
“ “ to change time of holding at Dyersburg	229	1	307
“ “ to change time of holding in Macon county ..	77	1	72
“ “ to change time of holding in Sevier county ..	85	1	84
“ Chancery and Circuit, to fix time for holding in Ches- ter county	174	1	249
“ Circuit, to change time of holding in 4th circuit	34	2	40
“ “ to change time of holding in 13th circuit	49	1	52
“ “ to change time of holding in Jefferson county ..	149	1	200
“ “ to change time of holding in Grundy county ..	50	1	53
“ “ to change time of holding in counties of Obion and Weakley	98	1	96
“ “ to increase number of terms of, in Shelby county	183	1-2	257
“ Circuit and Chancery, to fix time for holding in county of Van Buren	204	2	283
“ Criminal, to fix time for holding in Maury county	235	1	317
“ Supreme, to facilitate trial of causes in	257	1-6	342
Criminal Laws, to amend	188	1-2	261
D			
Damages, to define the measure of, in cases of death by wrong- ful acts of another	186	1	259
Davidson county of, to allow one additional justice of the peace	178	1	252
Davidson, Nathan, for relief of	42	1	47
Death Penalty, to provide for infliction of, in private	112	1	139
De Kalb County, county judgeship abolished	15	1	18
Descent and Distribution, to fix the law of real and personal property in certain cases	250	1	330
Doak, Julia A., for relief of	35	1	41
E			
Employees and Laborers, to protect under corporations and partnership firms	18	1-2	23
Evans, Pauline, for the benefit of	99	3	97
Farris, Jno. L., for the relief of	256	1	340

INDEX.	Chap.	Sec.	Page.
F			
Felony, a fraudulent conveyance of personal property under mortgage declared to be a felony.....	164	1-4	213
“ to keep or conduct houses for certain games.....	230	1	308
“ officers of insolvent banks to receive on deposit.....	131	1	178
“ to procure an abortion.....	140	1	188
Fences, to declare certain enclosures lawful.....	46	1-2	50
Fertilizers, to provide for the inspection, analysis and test of....	173	1-11	246
Fish, to amend Act of April 5, 1881, to protect.....	88	1-9	86
Forked Deer River, South Fork, to declare navigable.....	155	1	205
Foster, Daniel, for the relief of.....	225	1	303
G			
Gallatin, to amend Acts incorporating and to extend the corporate limits of.....	228	1-2	306
Game, to amend Chapter 133 in relation to, and protect in Carroll county.....	43	1	48
“ to repeal law for Fentress and Overton counties.....	32	1	38
Games, to punish as felons all persons engaged in keeping or conducting houses for certain.....	230	1	308
Gaming, to declare certain contracts.....	251	1-5	331
Gibson, Robt., for the relief of.....	209	1	288
H			
Hagey, W. J., for the relief of.....	243	1	324
Hardin County, to allow 13th civil district an additional justice of the peace.....	156	1	206
Holmes, J. R., for the relief of.....	256	1	340
Hospital, Government Marine, to cede certain lots to U. S. for use of, by the State of Tennessee.....	135	1-2	182
I			
Insurance Bureau, to amend Act establishing.....	1	1	5
Insurance Companies, Mutual Marine, to amend Act of March 19, 1875, so as to provide for organization of.....	254	1	336
J			
Jockey Clubs, to provide for organization of.....	39	1-3	45
Judge, County, to repeal Act of March 24, 1875, providing for election of County Judge for Jackson county.....	127	1	172
Justice of the Peace, allowing Mitchelville one additional.....	57	1	58
“ “ “ to allow Coffee county one additional.....	61	1	61
“ “ “ to allow Davidson county one additional.....	178	1	252
“ “ “ to allow Hardin county one additional.....	156	1	206
L			
Land Office, Knoxville, to repeal Act requiring books to be indexed.....	16	1	19
Larceny, grand and petit, defined.....	188	1-2	261
License, for privilege by the quarter year.....	29	1	34

INDEX.	Chap.	Sec.	Page.
Lien, to amend Chapter 93, Acts 1873, in relation to.....	126	1	171
Lien, judgment, decrees, to repeal Chapter 120, Acts of 1877, to regulate same.....	113	1	140
Liquors, to amend Act of March 19, 1877, to prohibit sale of near institutions of learning.....	184	1	257
Liquors, to prevent sale or gift of to habitual drunkard.....	148	1	199
Little River, to declare navigable.....	71	1	68
Loudon, county of, in relation to certain liability of to Blount county.....	193	1	267
M			
Macon, county of, to issue bonds for certain purposes.....	189	1	262
Masonic Lodges, for the benefit of in certain cases.....	240	1	321
Memphis, to provide for a settlement of indebtedness of.....	162	1-2	210
" to repeal certain sections of an Act of December 1, 1869, in relation to charter of Memphis.....	187	1	260
" to settle and pay off indebtedness due by to police, firemen and others, for 1878.....	190	1	264
Mexican War Veterans, to exempt from tax on peddling.....	227	1-3	304
Milan, to amend section 2 of an Act of February 15, 1866, to incorporate town of.....	191	1	265
Mill dams, to protect owners of.....	152	1-2	203
Misdemeanors, to amend Act of March 22, 1875, to require persons convicted of to work out costs.....	23	1	23
Misdemeanor, violation of fish law.....	88	4	87
Misdemeanor, to sell toy pistols.....	14	1	13
Misdemeanors, dealing in futures in certain cases.....	251	3	331
Misdemeanor, to buy, sell or give away pistol cartridges.....	13	1	17
Misdemeanor, to buy or sell pools on races in certain cases.....	138	1	187
Misdemeanor, to deface brands on saw logs, declared to be in certain cases.....	223	1	301
Misdemeanor, for owners of billiard, bagatelle or pool tables to allow minors to play thereon.....	136	1	183
Mitchell, S. H., for the relief of.....	256	1	340
Mitchellville, to repeal Act of March 19, 1877, allowing said town an additional justice of the peace.....	57	1	58
Montgomery County, railroad tax of, to regulate the paying out of the tax.....	146	1	197
Moore, Geo. & Son, for relief of.....	33	1-2	38
Mortgages, advances on, for crops.....	25	1	31
Mortgages, personal property under, disposed of fraudulently, declared a felony.....	164	1-4	213
N			
Nashville, to authorize city of, to issue bonds for a park.....	206	1-2	285
Newport Depot, to authorize the town of, to elect a constable...	96	1	95
New River, to declare navigable.....	101	1	98
Notaries Public, to amend the law in relation to.....	151	1	202
O			
Obion County, to amend an act for the benefit of.....	177	1	251
Odd Fellows Lodge No. 23, of Clarksville, for the relief of.....	226	1	304
Orr, Samuel, for the relief of ...	248	1-4	328

INDEX.	Chap.	Sec.	Page.
P			
Paris, to reduce acts incorporating, into one act, and to amend same	258	1-21	344-53
Parks, John, for relief of.....	45	1	49
Penitentiary, to amend Act of March 26, 1877, in regard to lease of, and to extend lease for five months.....	52	1	54
Penitentiary, Inspectors of, directory to	231	1-3	309
Penitentiary, to provide for the lease of.....	171	1-29	233-43
Pickett County, to authorize, to issue bonds.....	141	1-6	189
Pistol Cartridges, to prevent sale, etc., of.....	13	1	17
Pistols, toy, to prevent sale of.....	14	1	18
Physicians, jail, to amend Act of March 26, 1877, to regulate salaries and prescribe duties of	233	1-4	311
Police Commissioners, to establish in certain corporations.....	137	1-7	185
Polk, M. T., to pay reward for capture of.....	7	1	11
Polls, to regulate collection of.....	20	1	24
Pools, to regulate selling of.....	138	1-3	187
Privilege, license for, by the quarter year.....	29	1	34
Privileges, to amend Acts of March 12, 1879, April 4, 1881, in relation to tax on, and to add to the same.....	10	1-11	13-15
Privileges, to amend Acts in relation to, and to add to same.....	196	1	269
Public Roads, to amend Acts in relation to, passed March 30, 1881, and April 25, 1882	128	1-14	173
Pulaski, to change corporate limits of.....	36	1	42
R			
Railroads, to protect contractors, mechanics, laborers and engineers, etc., and who perform work or furnish material for construction and repair of.....	220	1-6	296
Railroads, to extend the time to complete unfinished.....	238	1	319
Railroad, to extend the time within which to complete the Tennessee Central.....	215	1	293
Railroad, to enlarge powers of Bristol and North Carolina, and to change name of.....	185	1	258
Railroads, to provide for the regulation of, to prevent discrimination upon, to punish the same, and to appoint a railroad commission	199	1-30	271-79
Receivers, to repeal Act of March 19, 1879, allowing same appointed by courts of other States to become parties to suits in Tennessee.	48	1	52
Recorder, Lynchburg, Moore county, to confer jurisdiction upon in criminal cases, under small offense law.....	90	1	90
Reeder, J. H., for the relief of.....	256	1	340
Registration, to provide for the, of certain liens in certain cases	253	1-4	334
Revenue, to amend Act of March 7, 1879, for the more rigid collection of.....	181	1	255
Revenue, to provide more equitable laws for the assessment and collection of, etc., and to repeal all laws whereby revenue is collected from the assessment of real estate, personal property, privileges and polls.....	105	1-88	103-27
Revenue, to provide for the State and counties.....	106	1-6	128-35
Roads, to provide for construction, repair and purchase of.....	167	1-9	216

INDEX.	Chap.	Sec.	Page.
S			
Salvage, charters for.....	22	1-5	26
Satterfield, C. C., for the relief of.....	245	1	326
School, Macon county, for the benefit of, in first school district..	86	1	85
Schools, Public, to provide for more efficient management of....	17	1-10	20-22
Schools, State Normal, to amend the Act of March 23, 1875, establishing.....	255	1-4	339
Soldiers, Confederate and Federal, for the relief of.....	242	1-2	323
State debt, to repeal Act to fund, passed May 19, 1882.....	2	1	6
State debt, to settle amount of, fix the rate of interest thereon, and provide for funding same.....	84	1-14	76-84
State debt, to repeal sec. 4 of an Act of March 19, 1882, to pay interest on 60-6 bonds.....	4	1	7
Stock Yards and Packing Companies, to amend Act of March 19, 1878, so as to allow organization of.....	254	1	336
Sullivan County of, to authorize, to build a turnpike, to issue bonds therefor.....	172	1-8	244
T			
Taxes, to amend an Act of March 13, 1879, to collect and dis- pose of taxes collected for municipal corporations whose charters have been or may be repealed, and to settle debts of such corporation.....	123	1	167
Taxing Districts, to enable to purchase ground for building station and workhouses.....	236	1	318
Taxing Districts, to amend Acts in relation to, and provide means of government of.....	222	1	299
Taxing Districts, to amend Act establishing, and to provide means of local government for.....	200	1	280
Taxing District, to amend laws in relation to.....	179	1	253
Taxing Districts, to allow, to issue bonds, to settle indebtedness.	170	1-20	224
Taxing Districts, to levy a tax on all taxable property in tax- ing districts in the State, for certain purposes.....	165	1-2	214
Taxing Districts, to amend Act of January 29, 1879, to estab- lish the same.....	5	1-2	8
Taxing District, of Shelby county, to repeal Act of April 27, 1882, authorizing a settlement of indebtedness, on certain terms.....	154	1	205
Taxing District, Shelby county, to levy and collect taxes for ..	6	1	9
Taxing Districts, to provide a more efficient management of ...	17	1-5	20-22
The Tennessee Justice and Legal Adviser, to allow County Courts to purchase.....	158	1	207
Thurman, J. N., for the benefit of.....	58	1	59
Tobacco, to exempt from execution.....	9	1	12
Tobacco Weighers, to allow County Courts to elect.....	94	1-6	93
Treasury, State, to secure public funds in.....	132	1-4	179
Trousdale County of, to issue bonds, for certain purposes.....	189	1	262
Turnpikes, to authorize county of Blount to build.....	208	1-10	286
Turnpikes, counties of Trousdale and Macon authorized to issue bonds for building.....	189	1	262
Turnpike, Franklin and Carter's Creek, to amend an Act to incorporate, passed January 17, 1850.....	95	1-2	94

INDEX.	Chap.	Sec.	Page.
Turnpikes, to provide for the construction of, repairing and buying.....	167	1-9	216
U			
United States, to cede to, certain property in Jackson, Tenn.....	180	1	254
United States, to cede to certain property in Shelby county.....	135	1-2	182

SENATE JOINT RESOLUTIONS.

INDEX.	No.	Page.
Informing the Governor of the organization.....	1	371
To meet in Convention and elect State Librarian.....	2	371
Appointing Committee on Joint Rules.....	3	372
Instructing Comptroller not to pay interest.....	4	372
To print Governor's message.....	5	373
To ballot for United State's Senator.....	6	374
To compare vote for Governor.....	7	375
To attach all property of M. T. Polk.....	8	375
Ordering committee to take charge of Treasury.....	9	376
To print Report of Insane Asylum.....	10	376
To investigate Bureau of Agriculture, etc.....	11	377
Appointing committee to wait on Governor.....	12	377
To convene and elect Treasurer and Comptroller.....	13	378
To offer reward for M. T. Polk.....	14	378
To appoint Committee on Inaugural Ceremonies.....	15	379
To inaugurate the Governor.....	16	380
To take further steps in regard to securing Polk's effects.....	17	380
To take recess.....	18	381
To print reports of the various institutions.....	19	382
Committee, to learn all about the Torbett issue.....	20	383
" to prepare a Funding Bill.....	21	383
" to destroy securities in the Comptroller's Office.....	22	384
" to instruct committee to settle with funding boards.....	23	385
" To instruct Attorney General to recover lawyer's fees and other moneys paid out by Treasurer Polk.....	24	386
To print report of Commissioners on removal of Penitentiary.....	25	387
To appoint a committee to report in regard to the Hermitage.....	26	388
Instructing Senators to sustain plans of Mississippi River Commission.....	27	388
To meet in Convention and elect Land Registers.....	28	389
To meet in Convention and elect Entry Taker and Register for Ocoee Land District.....	29	390
To pay for closing leaks in roof of the Capitol.....	30	390
To exchange for 1st, 2nd and 3d Baxter's reports.....	31	391
Directing Treasurer to file Bank of Tennessee notes with the Re- ceiver.....	32	391

INDEX.	No.	Page.
To permit Burns' Artillery to store arms in Capitol.....	33	392
Directing the Attorney General to bring suit against railroads for bonds improperly received.....	24	393
Compromising with M. T. Polk for bonds and new issue.....	35	394
Empowering the Governor to employ additional clerk.....	36	395
Authorizing the Code of Tennessee	37	395

HOUSE JOINT RESOLUTIONS.

INDEX.	No.	Page.
Appointing Committee to examine accounts of Treasurer and Comptroller, etc.....	1	397
Directing Committee to enquire and ascertain as to the disposition made of funds by the Treasurer	2	398
Instructing Senators and Representatives in regard to pensions to Florida and Mexican soldiers.....	3	399
To meet and elect State Librarian.....	4	400
Offering \$10,000 reward for Polk.....	5	400
Committee to consult in regard to Confederate Monument.....	6	401
To memorialize Congress in regard to leaf tobacco.....	7	401
To investigate passage of redistricting law of 1882.....	8	402
Instructing committee to turn office of Treasurer over to Atha Thomas.....	9	403
To appoint a committee to make a settlement with the Funding Board of 100-3 and 60-6.....	10	403
Authorizing committee to sit during recess to settle with the Comptroller and Treasurer.....	11	404
Granting use of Hall to the General Assembly of the Cumberland Presbyterian Church.....	12	405
To print report of University of Tennessee.....	13	405
Authorizing committee to extend investigations back to 1870 or 1865	14	406
Calling attention of Congress to the subject of Regie contracts.....	15	406
To appoint committee to confer with attorneys of M. T. Polk as to settlement.....	16	408
Requesting Dr. Currey to address the General Assembly.....	17	409
Instructing Comptroller to furnish itemized estimate of expenditures.....	18	409
Requesting Congress to continue the National Board of Health.....	19	410
Creating "State Debt Committee".....	20	411
Ordering ten copies T. & S. Code for Chester county	21	411
Creating committee to prepare assessment bill.....	22	412
Creating committee to inquire into condition and status of the Hermitage.....	23	413
Expressing thanks of the General Assembly to Dr. Currey	24	413
Requiring Committee to visit Tennessee University.....	25	414
Creating Committee to revise Fee Bills.....	26	414
Authorizing committee to send for persons and papers to investigate disposition by M. T. Polk of \$50,000 U. S. Bonds.....	27	415
Tendering thanks to managers and ladies of Ward's Seminary.....	28	415
Appropriating \$350 to re cover tomb of Jackson at the Hermitage...	29	416
Respect to the memory of Alexander H. Stephens.....	30	417

INDEX.	No.	Page.
Instructing State Board of Health to examine the sanitary condition of Davidson County Jail	31	418
Requesting State Board of Health to examine heating apparatus of the Capitol.....	32	418
To encourage celebration of anniversary of the inauguration of President Washington.....	33	419
Tendering thanks to officers of Fisk University.....	34	420
Extending invitation to Gens. Fitzhugh Lee and Basil Duke to visit House of Representatives.....	35	421
Extending sympathy to struggling Ireland.....	36	421
Ordering the printing of the Acts and Journals.....	37	422
Tendering Halls and Committee Rooms to the Grand Army of the Republic.....	38	422
Tendering Hall to the Phi Delta Theta.....	39	423
To adjourn <i>sine die</i>	40	424

SENATE RESOLUTION.

INDEX.	No.	Page.
Repuesting U. S. Senators to urge passage of the bill enlarging the powers of the Commissioner of Agriculture... ..		425

HOUSE RESOLUTIONS.

INDEX.	No.	Page.
Informing the Senate of organization of the House.....	1	426
To convene daily at 7 A. M.	2	426
Committee to confer with Ministers of the Gospel.....	3	427
Granting use of Hall of House of Representatives January 8.....	4	427
Creating Committee on Railroads and State Debt.....	5	427
Authorizing the Speaker to appoint three porters.....	6	428
Directing Assistant Clerk to prepare Roster of House.....	7	428
Instructing Sergeant-at-Arms to purchase Thompson & Steger's Code and Milliken's Digest	8	428
Instructing Sergeant-at-Arms to purchase Thompson & Steger's Code and Milliken's Digest.....	9	429
Tendering use of Hall of the House to the Tennessee Historical Society	10	429
Granting use of Hall of the House to H. Watterson.....	11	429
Instructing Sergeant-at-Arms to buy postage stamps.....	12	430
Tendering thanks to Hon. H. Watterson.....	13	430
To meet at 7 P. M.	14	430
To have all bills pass second reading before reference.....	15	431
To have Calendar prepared every week.....	16	431
Granting use of Hall to Tennessee Soldiers Association.....	17	431
To purchase filterer for use of the House.....	18	432
Authorizing Speaker to appoint Journal Clerk.....	19	432
Ordering new carpet for Representatives' Hall.....	20	432
Instructing U. S. Senators to vote for bill to enlarge powers of De- partment of Agriculture.....	21	433
To discontinue Calendar	22	433
Allowing each member to call up one bill.....	23	434
To have condition of chandeller examined.....	24	434
Tendering use of Hall to various Associations.....	25	434
Appointing Assistant Engraving Clerk.....	26	435
Respecting claim of Pierre DuPont.....	27	435
Thanking the Speaker.....	28	439
Thanking the Clerk and Assistant.....	29	436
Thanking the Sergeant-at-Arms and Assistant.....	30	437
Allowing per diem to former Clerks for organization.....	31	438

STATE OF TENNESSEE,
OFFICE OF THE SECRETARY OF STATE, }
NASHVILLE, May 5, 1883.

I, D. A. NUNN, Secretary of State, of the State of Tennessee, do hereby certify that I have carefully collated the foregoing Acts and Resolutions with original copies on file in my office, and find them correctly printed.

D. A. NUNN,
Secretary of State.

BILL OF COSTS

Warrant		25-
Probating Account		
Judgment	78-	
Docketing	12-	
Affidavit for Continuance		
Continuance	12	
Subpoena for Witness		
Serving Process	1	02
Summoning Witness		
Prosecution Bond		
Witness		
Amount of Judgment	42	89
Interest	1	68
Commission	2	12
'F. F.		25-
<i>100</i>	1	00
<i>Service Execution</i>	1	00
.....	16	19

